1-4-78

PETITION FOR ZONING RE-CLASS FICATION AND/OR SPECIAL EXCEPTION 18-1130

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I or we Gerald W. Berg legal owner of the property situate in Baltimere 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 erold described property be re-classified, pursuant to the Zoning Law of Baltimore County, from

arren Mix Petitioner's

1 7000

1A01. 28 (11)

RECEIVED FOR

ORDER

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimo

your agree to pay expenses of above re-classification and/or Special Exception advertising posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning requisitions and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of Baltimore County adonted nursuant is a continuous and restrictions of the continuous and restrictions are continuous and restrictions and restrictions are continuous and restrictions are continuous and restrictions and restrictions are continuous and restrictions ar

Coffald W. Berg Address_Stevenson, Maryland_ 21153

202 Loyola Federal Building Towson, Maryland 21204 ORDERED By The Zoning Commissioner of Baltimore County, this 19th ..., 197 8, that the subject matter of this petition be advertised, as of Jamery

or animacy.

177 S., was the supper, matter or the present of a servenued, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore, County, that properly be posted and that the public bearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, natimore day of March 278 10:00 o'clock is the forma

Zoning Commissioner of Baltimore County.

G. Warren Mix, Esquire

At the time of this writing, the comments from the Office of Current Planning and Development were not available. It is suggested that you personally contact Mr. John Wimbley at 494-3335 for his comments on this request.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the file of the second of the sec

NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

Very truly yours,

cc: Mr. Jerome Shuman 4790 Byron Road Pikesville, Maryland 21208

IDCA APPLICATION FOR

DCAW 77-41-X

SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY I, OR WE, DEMAND W. BEEG LEON, OWNER OF THE PROPERTY STIMITE IN BALLMORE COMPLY IN PROPERTY OUTLINE OF WHOSE IS DRAWN TO SCALE, COMPLETE WITH BEJENCE AND DISTINCES ON 200 FT SCALE MAPS, WHICH ARE ETTACHED HERETO, WRITEY MAZE APPLICATION TO FILE FOR A SPECIAL MCEPTION IN A R.C. 2 ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR

HELISTOP AS ACCESSORY USE TO EXISTING DIVELLING THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 3.035 COM DEED REF. F.R.G. USTS. SES __ PONE ___ % OF OVERALL SITE WILL REQUIRE GRADING. GRADING

BITTONIG SIZE AND GROUND FLOOR MA X MEA 30'X 30' NUMBER OF FLOORS NA TOTAL HEIGHT NA

BUILDING USE GROUND FLOOR __ NA ____ ODIER FLOORS __ NA _____

....... REQUIRED NUMBER OF PARKING SPACES

AREA OF SITE TO BE PAVED TO ACCOMMODE ! REQUIRED FANKING SPACES __ ASS HOME REQUIRED

WATER DESIGN MERINATE, THE OF SYSTEM MELL STRING Storie Donne Chromet, 179 9 51517 Septic Exterios

No December My Marie VIII o surely

Unuses stories servine Marie 199127

LEGAL DANCE

weeks 2000 Ob Vally Ro.

22 W. Bone. Que. Totales, YMd. 21204

STORMSON, PROGRADO 825-1517

1.70 - Signed: Just CHARMON, HATTWORE COURT OF A NOV 9 77 PM PLANNING BOARD

4400 OFFICE OF PLANNING & ZONING

OWSON, MARYLAND 21204

DRNTON M. MOURING, P.E. DIRECTOR

February 7, 1978

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

Re: Item #130 (1977-1978) Item #130 (1977-1978)
Property Owner: Gerald W. Berg
S/E cor. Greenspring Valley Rd. & Old Valley Rd.
Existing Zoning; R.C. 2
Proposed Zoning: Special Exception for a helistop
(IDCA 77-61x)
Acres: 3.035 District 3rd

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

General:

nts were supplied for this property for Project IDCA No. 77-61%.

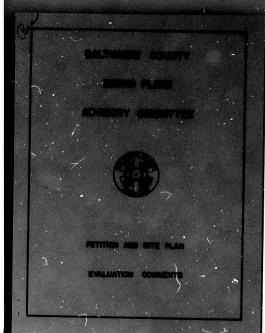
Greenspring Valley Road (MM. 130) is a State Road; therefore, all improvement intersections, entrances and drainage requirements as they affect the road come under the juri-sduction of the MaryLad State Highway Administration. Any utility construction within the State Road right-tof-way will be mbject to the standardom, upsecfications and approval of the State in addition to those of Baltinore Company.

Old Valley Road, an existing public road, is proposed to be improved in the future as a 30-foot closed sectior roadway on a 50-foot right-of-way. Highway right-of-way videning, including any necessary revertible assement of lopes, will be required in connection with any grading or building permit appli sm.

Development of this property through stripping, grading and stabilization could recult in a seelment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, mecamary for all grading, including the stripping of top soil.

Storm Drains:

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



BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

icholas B. Com Chairman

G. Warren Mix, Esquire 202 Loyola Federal Building Towson, Maryland 21204

Dear Mr. Mix:

Bureau of Department of Traffic Engineering

Bureau of Fire Prevention Mealth Departmen Project Planning Board of Education

Zoning Administrat

RE: Special Exception Petition Item Number 130 Petitioner - Gerald Berg

March 3, 1978

The Zoning Plans 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 the appropriate comments are not intended to indicate the appropriate comments are not intended to indicate the appropriate comments are made r-are of plans, to assure that all parties are made r-are of plans to the appropriate plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner may file a written report with the Zoning Commissioner requested zoning.

commiss forming.

Commiss theoreplus acre site, located on the southeast commiss of Old Valley and Greenspring Valley Roads, is presented to the commission of Old Valley and Greenspring Valley Roads.

For the Commission of Francis (C. 2, as is this property, and consists of rural farm land. As you are awarety, and consists of rural farm land. As you are awarety, and consists of rural farm land. As you are awarety, and consists of rural farm land, as you are awarety, and consists of rural farm land, as you are awarety, and consists of the subject of property was the subject of the commissioner of the

Item #130 (1977-1978) Property Owner: Gerald W.Berg Pag: 2 Pebruary 7, 1978

Storm Dr. ins: (Cont'd)

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 vaters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitions.

A drainage and utility easement is required through this property.

Water and Sanitary Sewer:

Public water sug ,y and sanitary sewerage are not available to serve this property, which is using private onsite facilities. This property is beyond the Ubban-Raral Democration Line and in a reas designaced "No Planned Service" or the Baltimore County Mater and Sewerage Plans W-16A and S-16A, amended.

Very truly yours.

Elleworth D. Diver to me ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: FAM: FWR: 65

cc: D Crise

February 8, 1978

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

Item No. 130 - ZAC - December 27, 1977
Property Owner: Gerald W. Bergy
Existing Tooling R.C. - Zengering Valley Rd. & Old Valley Rd.
Existing Tooling R.C. - Zengering Valley Rd. & Old Valley Rd.
Proposed Wouldney Rd. - Zengering Valley Rd. & Old Valley Rd.
Screen: 3.035 Acres: District:

No traffic problems are anticipated by the requested Special Exception for a belistop.

MSF/hms



DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE AND COUNTY HEALTH OFFICER

January 12, 1978

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

District:

The following are comments on Item # 130 , Zoning Advisory Committee Meeting of December 27, 1977;

Property Owner: Gerald W. Berg

Locations

SE/C Greenspring Valley Rd. & Old Valley Rd.

3.035 Acres:

Since the proposed helistop will not be constructed in the area of the water well or sewage disposal system and the sewage disposal system appeared to be functioning properly, no health hazards are wanticipated.

Very truly yours.

FEBRUARY 27 1975

Mr. Gerald W. Berg Green Spring Valley Road & Old Valley Road Stevenson, Maryland 21153

At your request, a representative of this Administration inspected the site of a proposed private use helipad at Stevenson, Maryland

The helipad would be located in an open turfed area south of you, residence, at latitude 39° 24° 40° and longitude 76° 43° 10°. Approach and departure paths are good and will be over your property at the lower altitudes.

In view of this and since the Federal Aviation Aministration by letter of January 31, 1975 has determined an alemane and approved for a private use heliport. This approval does not precept or waive any local laws or regulations concerning the establishment of heliports.

76/ R. J. AMERICAN Robert J. Aaronson Administrator

PETITIONER'S

EXHIBIT 14

TO NOTE IN YES JETS

Jiz 91

2/24 2/25

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

THD/KS/fth

SEC 35 118

TOWSON, MARYLAND 21204

Paul H. Reincke

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

Attention: N. Commodari, Chairman Zoning Adivsory Committee

Re: Property Owner: Gerald W. Berg

Location: SE/C Greenspring Valley Rd. & Old Valley Rd.

Zoning Agenda Meeting of 12/27/77

Pursuant to your request, the referenced projectly has been surveyed by this buresu and the commants below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Publish Vorts.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at ____ EXCEEDS the maximum allowed by the Pirc Department.
- () h. The site shall be made to comply with all applicable parts of the Pire Prevention Code prior to occupancy or beginning of operations.
- The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Pire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupance
- () 6. Site plans are approved as drawn
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER TO THE PLANNING Group
Special Inspection Division Noted and Alener In Warrand

Fire Prevention Bureau

TOWSON, MARYLAND 2120

January 6, 1978

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

Comments on Item $\#\,1\,90$ Zoning Advisory Committee Meeting, December 27, 1977 are as follows:

Property O.ner: Gerald W. Berg Joc. 100: SR/C Greenspring Valley Road & Old Valley Road Existing Zoning: R.G. 2 Proposed Zoning: Special Exception for a helistop (IRCA 77-61-X)

Acres: District: 3.035

The items checked below are applicable:

- (X) Any proposed structure shall conform to Baltimore County Building Code(20CA) 1970 Edition and the 1971 Supplement and other applicable codes.
- (X) B. A building permit shall be required before construction can begin. C. Three sets of construction drawings will be required to file an application for a building permit.
- D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

- G. Requested setback variance conflicts with the Baltimore County Building Code. See Section

4/6/79 - Notified of appeal hearing scheduled for WEDNESDAY, JUNE 6, 1979 at 10 a.m.

Very truly yours,

Sharlo & Sumbon

Charles E. Burnham Plans Review Chief CEB:rri

G. Warren Mix, Esq.

Jerold J. Oppel, Esq Mr. Montgomery Lewis

Harry Norman Baetjer, Jr. Mr. Ernest Hilton Wright Mr. Clcrence Eugene Elderkin, Jr.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 28, 1977

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

Z.A.C. Meeting of: December 27, 1977

RE: Item No: 130 Item No: 130
Property Conner: Gerald N. Berg
Location: SE/C Greenspring Valley-Rd. & Old Valley Rd.
Present Zoning: R.C. 2
Proposed Zoning: Special Exception for a helistop (IDCA 77-61-X)

District: 3rd No. Acres: 3.035

No bearing on student population.

Very truly yours, le Tit thank

W. Nick Petrovich,

THOMAS H. BOYER MRS. LORRAINE F. CHIRCUS ROGER S. HATDEN ROBERT Y. DUBEL. SUPERINTE

MICHARD W. TRACEY, DWM.

494-3180

County Bourd of Appeals October 7, 1980

Mr. Harry Norman Boetjer, Jr 2217 Greenspring Valley Road Steverson, Md. 21153

> Re: Case No. 78-193-X Gerald W. Berg

Dear Mr. Baetjer:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

MICROFILMED

cc: Mr. Ernest Hilton Wright Mr. Clarence Eugene Elderkin, Jr G. Warren Mix, Esquire Mr. Gerald W. Berg Mr. Montgomery Lewis John W. Hessian, III, Esquire Mr. J. E. Dyer Mr. W. E. Hommons Mr. J. Hoswell

11/1/79 - Above notified of CONTINUED HEARING set for WEDNESDAY, DECEMBER 19, 1979 at 9 a.m. for the purpose of having testimony from Mr. Elderkin and an expert on noise, if Mr. Hessian determines this necessary.

9/20/79 - Above notified of appeal hearing scheduled for THURSDAY, NOVEMBER 1, 1979 at 10 a.m.

4120179 - POST PERED AT

Reguest of W. Mix, Isy

in the when never from young niceing ofter Bl. Hearing on 4/199. These had never been extend as shifte, me my took these, see

MICROFILMED

494-3180

MNP/ha

County Board of Apprels Room 219, Court House Towns, Maryland 21206

April 20, 1979

NOTICE OF POSTPONEMENT

CASE NO. 78-193-X GERALD W. BERG

for SE - Heliston

SE cor. Greenspring Valley & Old Valley Rds.

3rd District

The above case, scheduled for hearing on Wednesday, JUNE 6, 1979 at 10 a.m., HAS BEEN POSTPONED by the Joard at the request of counsel for Petitioner (in court).

cc: G. Warren Mix, Esq. Mr. Gerald W. Serg

Counsel for Petitioner

Jerald J. Oppel, Esq.

Petitioner Counsel for Protestants

People's Counsel

Mr. Harry N. Boetjer, Jr.

Mr. Ernest H. Wright

Mr. Clarence E. Eldarkin, Jr.

John W. Hessian, III, Esq.

Mr. J. E. Dyer Mr. S. E. DiNenn

Mr. L. N. Graef Board of Education Mrs. Carol Beresh

> Muriel E. Buddemeier County Board of Appeals

MICROFILMED

MICROFILMED

P.TA : 1dh

ccanchaltamord2Gddsty Planning & Zoning

Response to talaphone request from Dave Cocker (pilot for Bury)

com

DATE

OBER. GRIMES & SHRIVER

BALTIMORE, MARYLAND 21202 WASHINGTON D.C. OFFICE IIAO CONNECTICUT AVENUE N.W. MASHINGTON D.C. 20036 TELEFFONE (202: 833-2246

William A George India rann. J Promiting Selection Je (1912 1917) Tomore in Control of the Control of the Control of Control of the Control of the

October 10, 1979

County Board of Appeals Room 219, Court House Towson, Maryland 21204

Attn: Ms. Muriel E. Buddemeier

Re: Case No. 78-193-X Gerald W. Berg - Application fc. Helistop

Gentlemen:

I received your notice of assignment and see that I am listed as counsel for protestants. This is to advise you that John W. Hessian, III, Esquire, People's Counsel, will be representing the protestants.

Thank you very much for your cooperation in this matter.

Very truly yours.

Jerald J. Oppel

JJO:all
c: Valley's Planning Council, Inc.
Attn: Mrs. Judith Baer
c: Mr. Harry N. Baetjer, Jr.
c: Mr. Ernest H. Wright
c: Mr. Clarence E. Elderkin, Jr.

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OBER, GRIMES & SHRIVER

WILLIAM A. GRIMES (1804-1977) J. NICHOLAS SHEWER, JR. MARKINGTO ATTORNEYS AT LAW O MARYLAND NATIONIL BANK BUILDING BALTIMORE MARYLAND 21202 TELEPHONE 1300 685-120 CABLE ADDRESS RITHEY TELER 8-7774 WASHINGTON, D. C. OFFICE 1725 K STHEET, N. W. WASHINGTON, D. C. 20006 TELEPIONE 1202/659-4920 CARLE NODRESS BRINES TELES B-7774

LEGNARD C HOMEN-JOHN A WOLF THOMAS BLOOMS K. HOUSTON MATHER RAMINES B. DELK JA GEOFFREY S. TOMAN JEFFREY A HAMMOND MCHAEL H. DAVIS M. HAMMOND MUTTERN, JA MCHAEL L. OURN MCHAEL L. OURN MCHAEL L. OURN MCHAEL B. GERMAN MCHAEL B. ADMITTED IN DISTRICT OF COLUMBIA GOLT ADMITTED IN PARTLAND AND DISTRICT OF COLUMBIA

July 10, 1978

Mr. Walter * Reiter, Jr., Chairman County Boars of Appeals Room 219, Court House Towson, Maryland 21204

Re: Gerald W. Berg File No. 78-193-X

Dear Mr. Reiter.

Enclosed please find the questionnaire which you sent with your letter of June 30th, 1978.

Very truly yours, erald f. Oppel

JJ0:a11

MICROFILMED

TURNBULL, MIX & FARMER TOWSON, MARYLAND 21204

JOHN GRASON TORNBULL, II G. WARREN MIX JAMES R. PARMER JOHN W. NOWICKI

April 18, 1979

Walter A. Reiter, Jr., Chairman County Board of Appeals Room 218, Court House Towson, Maryland 21204

RE: Gerald W. Berg Case No. 78-193-X

that the above-captioned matter has been scheduled for rms 6, 1979, at 10:00 a.m. Unfortunately, it is necessary that I request a postponesent as I already have Circuit Court trials and Circuit Court trials of Circuit Court trials of Circuit Court case in Bove Circuit Court trials of Circuit Court case in Bove Circuit Court trials of Circuit Court case in Bove Circuit Court Court Case in Bove Circuit Court Cour

Therefore, I must respectfully request a postponement is the first date assigned. Since this matter is approximately one year old I am also taking the liberty to within the people to see whether or not the protestants are edill whether the proceed with their Appeal and I will addiss the Board and I will addiss the Board within the process whether their Appeal and I will addiss the Board within the process whether their Appeal and I will addiss the Board within the process whether their Appeal and I will addiss the Board within the process whether the process w

Very truly yours, TURNBULL, MIX & FARMER

Allemanie G. Warren Mi:

GMM:sj cc: Jerald J. Oppel, Esq. People's Counsel

D. D. granted by WAR MICROFILME!

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204

June 30, 1978

Jerald J. Oppel, Esq. 1600 Maryland National Bunk Bidg. Baltimore, Maryland 21202

Re: Gerold W. Berg File No. 78-193-X

Dear Mr. Onnels

1. Number of witnesses ; ou anticipate calling ____

2. How many of these witnesses will be "expert witnesses"?

3. Fields to be covered by experts you intend to call - please chack:

Land Planner _____ Real Estate

4. Total time required (in hours) for presentation of your side of the case 2 hours

Attorney for Protestants ()

GICROFILEED Attorney for Petitioners ()

Red stratos 2 00494-3180

Recd 7-18-28

12.45 PM

County Board of Appeals Room 219, Court House Towson, Maryland 21204 June 30, 1978

Mr. Harry N. Baetjer, Jr., et al 2217 Greempring Valley Rd. Stevenson, Maryland 21153

Res File No. 78-193-X Gerald W. Berg

Door Mr. Bootler

2. How many of these witnesses will be "expert witnesses"?

3. Fields to be covered by experts you intend to call - please check:

Land Planner _____ Real Estate Engineer Troffic Other

4. Total time required (in hours) for presentation of your side of the case

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Petitioner seeks Luthority to maintain a "helistop" (BCZR 101:7). The

regulations require that the operation be authorized by the Director of Public Safety.

The position of Director of Public Safety was a charter office at the time of the legislative creation of "helistops." As above defined, in 1967, the position was eliminated by charter amendment approved by the voters in 1968 (Bill No. 72, 1968).

Perhaps if the duties previously performed by the Director of Public Safety had in some fishion been permitted simply to lopize, our concern here might very well bu diministhed, if not eliminated, but that is not what happened.

A photoset of Sill No. 122, 1968, is attached. You will note that there are
31 pages of legislative activity parcelling out among the Department of Tarific Engineering, the
Police Department, the fire Department, and the County Administrative Officer, duties and
duty and responsibility to approve "halistops" to any other official. Thus, our contemp
the lintent of the requirement for approval was obviously to keep these operations under
constant observation and power of revocations, without the assignment or transfer of
responsibility and authority, who is to perform that function?

If the failure to include a transfer of the duty to some other officer within the 31 pages of other transfers was an oversight, only the legislative entity itself – the County Council – can correct it. Certainly the County Board of Appeals can't assume that it can

2. The Director of Public Safety no longer exists.

1. The "heliport" requires authorization by the Director of Public Safety,

3. The County Council has not reassigned his duties to another officer.

4. Until this legislative deficiency is corrected by the legislative entity

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

SUBJECT Gerald W. Berg - Zoning Case No. 78-193-X

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

Attorney for Protestants ()

Date. January 3, 1980

Attorney for Petitioners ()

MICROFILMEN

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204

June 30, 1978

G. Warren Mix, Esq. 202 Loyola Federal Bidg. Towson, Md. 21204 Res Come No. 78-193-1

Dear Mr. Mlx

1. Number of witnesses you anticipate calling _____ 7 or 8

Gerold W. Borg

2. How many of these witnesses will be "expert witnesses"?

3. Fields to be covered by experts you intend to call - please check:

Land Planner Real Estate Troffic

SAFETY - Newcopter aperations for Other

4. Total time required (in hours) for presentation of your side of the case 3



Attorney for Petitioners ()

RICPOFILMED 14:300...

> JOHN GRANGS TURNSVILL O WARREN MIX JAMES R. FARMER DOUGLAN T. SACHSI

8/27. CC MINT WAR

TAN OFFICE TUR BULL MIX & FARMER 700 WASHING ON AVENUE

TOWSON, MARYLAND 2120-

August 26, 1980

Walter A. Reiter, Jr., Chairman County Board of Appeals Room 218, Court House Towson, Maryland 21204

RE: Cerald W. Berg Petition for Special Exception Case No. 78-193-X

Dear Mr. Reiter:

I am writing to inquire as to the status of the Bcard's opinion in the above-captioned matter. You will recall that this case was heard before the Board on November 1, 1979, and was continued until becames 18, 1979 to all

Thank you for your cooperation.

Very truly yours, TURNBULL, MIX & FARMER

GWM/tsb

G. Warren Mix

MICROFILMED

RECEIVED TIMORE COUNTY OUNTY B E,

cc: G. Warren Mix. Esquire Jumpes

itself, you cannot have a heliport.

MICDOEII MET

legislate as a favor or courtesy to the County Council.

The point that we are making is, therefine:

County Council of Baltimore County Maryland

Legislative Session 1968, Legislative Day No. 14

, Introduced by Mr. Bartenfelder, (5th), Councilman
(By request of the County Executive)

By the County Council, October 7, 1968.

A BILL Entitled

(Page 2_Rill No. 122)

Code, 1958 (1986 Cumulative Supplement), Tills "Police Bureau"; by repasting and re-enacting with amendments Sections 29:12(a) 5, 25:12(c) and 29:12(a) 16; 25:12(c) and 29:12(a) 16; 25:12(c) and 29:12(a) 16; 25:12(a) 20:12(a) 20

SECTION 1. Be it enacted by the County Council of Ballimore County, Maryland, (five members thereof voting in the affirmative) that Sections 184, 1941, 1841; 1841; 1841, 1846

18.3. Obstruction of drivers' view at street intersection

18.3. Obstruction of driver view a street intersection.
Whenever the county shall be advised in writing by the chief of
the county Felice [bursan] Bepartnent or the gready freffe engineer
of the county that any trees, bashes, viens, encess, signs or other
obstructions are located on any property at an intersection of any
street or side root with a county or state highway in the county,
in such a manner as to obstruct the vision of the operators of volicies
as they reach such intersections, they are hereby subhorited and
at such intersections to remove therefrom such trees, bushes, viens,
fences, signs or other obstructions within such time as the county
shall in its discretion determine to be just. Any owner of such
be limited in the notice from the nontrive don's and so that the observaguilty of a misdemensor and subject to a fine of not less than twentyrive dollars and not more than five hundred dollars, provided, how
the county shall have the further right and power, after giving the
aforesaid notice, and upon failure of the owner of each property to
comply therewith, to have such trees, bushes, vines, fences, signs or
the owners of such property, which cost or charges shall be a lieu on
such property and be collected in the same manner as taxes are now
collected.

MICROFILM

(Page 3-Bill No. 122)

The Police [Dureau] Department shall, upon application by any person and the payment of a fee of one dollar furnish to such applicant a certified copy of the [Dureau's] department's record of any accident in which a motor vehicle is in any manner involved.

Article II. Director of Traffic Engineering

18-12.1. Department of Traffic Engineering.

.18-12.1. Department of Traffic Engineering.

A new Discussal departments in barrily created [within the department of public safety] which shall hereafter be designated and insown as the Discusal Department of Traffic Engineering, the state of the County, The Discussal department shall be responsible for braffic safety and engineering. The traffic engineer of Baltimore County shall be responsible directly to the (director of public safety) and engineering. The traffic engineer of Baltimore County shall be responsible directly to the (director of public safety) and public safety and profit of the safety and safet

18-13. Authority to make rules and regulations.

In order to provide for the agic and expeditions movement of traffic in the county, and to protect the aniety of the clittens using the roads, streets, alleys and highways in the county, either public or private, the Director of Bublic safety] Traffic Engineering is bereby granted full power and authority to do any and all of the

(1) Conduct engineering and analyses of traffic accidents and engineering investigations of traffic conditions.

(2) Establish and determine the design, timing, type, size and location of any and all signs, signals, markings, pylons, channels and other devices for guiding, directing or otherwise regulating and controlling vehicular not pedestrian traffic.

(3) Designate any intersections as "Stop" intersections or through highways.

through highways.

(1) Approve or disapprove the location of bus stops and taxicab stands or reacind or modify any prior approval herefolore given.

(5) Adopt and promulgate rules, regulations, orders and directives relating to, or in connection with the movement of vehicular and pedestrian traffic in the county.

and pedestrian traffic in the county.

(6) Make recommendations to the county executive for the improvement of traffic conditions in the county Ewhich cannot be accomplished by the directives, order, rules or regulations promulgated by the director of public safety].

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Paraplegic and leg or foot amputes employees of Baltimore County shall enjoy the same special parting permit privilegs as in having granted to certain veterans. Any permits granted uncertain veterans and veterans to the permits are section shall be used only by the persons in whose names the permits are issued. Any person violating the provisions of this action shall be subject to a penalty of not less than twenty-five dollars.

18-2. County owned parking lots, regulations.

It shall be unlawful for any person to park a whiche at any time or to permit a whiche to be parked at any time on any parking lot contary, to the limitations and restrictions impased in any time conspicuously posted on aid parking lot as hereinafter provided. The Traffic Entirest shall cause signs to be posted on all county for the Traffic Entirest shall cause signs to be posted on all county times. The Director of grobile safety Traffic enterties and directive raising to or in connection with the parking of vehicles on such county-owned parking lots. Natlang in this section shall apply to any parking lots under the jurisdiction of the Baltimore County Revenue Auth-Prity.

18-33. Linenses.

18:33. L'ennes.

(b) Applications shall be made on forms to be furnished by the Director? Chief of gubble safety? Police. The applicant shall pay a filing fee of ten dollars when the application is made, which fee and the same of the application is made, which fee application is made, which fee application is made, which fee application is made, which feel application is made, which feel application is covered in the control of the older feel applications of the older feel appli

18-35. Charges.

(a) Every person engaged in towing disabled vehicles shall, at the time of his application for a license, file with the [Director] Chief of [public safety] Police a schedule setting forth his charges for towing and for any services incident to towing.

for towing and for any services incident to towing.

(b) Such charpes may be measured by mileage, time and type of service and stated dearly on the application for a towing lecsus field by the person engaged in the towing business; and the property of the control of the contr

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(7) To prohibit parking on any portion or portions of any public highway within one hundred fifty feet of its intersection with any other public highway or railroad right of way.

(8) To prohibit parking and designate one-way streets in the set of emergencies for a period not to exceed forty-five days

(9) To pass and adopt reasonable rules and regulations governing parking, traffic and the movement of vehicles in the vicinity of any fair, game, parade or other public event where a large gathering of people or vehicles is anticipated.

Provided, however, that the Director of [public asfety] Traffic Englasering shall not have the power to adopt and promulgate rules, regulation, order or directives in the nature of general permanent parking restrictions or to establish permanent one-way streets; the power to make general permanent parking restrictions and to estab-lish permanent one-way streets is hereby specifically reserved to the County Connell.

The Director of [public safety] Traffic Engineering inall keep secord of all rules, regulations, orders and directives issued by him, ich records shall be open to public inspection at all reasonable

10-10. Employment of personnel.
(1) With the approval of the county administrative officer, the Director of [public safety] Traffic Engineering may employ such assistants, aloes and employees as may be deemed necessary for the proper performance of the duties and functions imposed by this article, within the available appropriation or allotment therefor.

(2) With the approval of the county executive, the Director of Dublic safety; Traffic Engineering may employ or hirs, from time to time, by contract consulting, planning or designing engineers or other persons possessing technical or specialized skills in connection with the duties, powers and functional imposed upon the Director of Dublic safety; Traffic Engineering by this article, provided that the cost thereof does not exceed available appropriations or allotment.

Baselor.

18-16. Traffic-control devices erected by director—Interfering, etc., with devices—

18-16. Traffic-control devices erected by director—Interfering, etc., with devices—

18-16. Traffic-control erector ere

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le-11. Same—r autre, remeas, etc., to comply win sevices. It shall be unlawful for any person to fail, neglect or refuse to comply with any instructions or direction on any post, standard, sign or other device exected by the authority of the Director of Epublic activities of the regulation of traffic or parking

18-18. Unlawful to violate rules, etc., of director.

It shall be unlawful for any person to violate any rule, regula-tion, order or directive promolgated by the Director of [public antery] Trugle Engineering, as hereinbefore provided.

18-00.1 Parking unlicensed vehicle, shandoned vehicle, impossing, sale.

It shall be unlawful for any person to park an unlicensed which, or a vehicle with an expired license, or to shandon a vehicle for a vehicle with an expired license, or to shandon a vehicle for a vehicle with a vehicle for a vehicle with a vehicle for a vehicle with the vehicle of all moves any such vehicle so parried or shandoned in violation of this section, which will be the previous of the provisions of the vehicle many be repossessed by him and such charge shall be in addition to the deviation of the vehicle many be repossessed by him and such charge shall be in addition to the owner falls to repossess said for the viduation of this section. If the owner falls to repossess said for the viduation of this section. If the owner falls to repossess said for the viduation of this section of the vehicle and part of the vehicle of the viduation of the vehicle and the process of the vehicle of the vehicle of the viduation of the vehicle of such as a part of the vehicle and a limit to the payment of all lies on the braining the county for the coat of removing or towing the vehicle and balance within said period of time, it shall be foreigned and paid into the county treasury.

18-20. Here we within and period of time, it shall be foreigned and said into the county treasury.

(a) In order to provide for a more effective netrocease; of the traffic laws and regulations and to expedite the flow of traffic, the [Dischoof Zelos of Bublic selfect) Police is hereby authorized to take possession of and removes any motor vehicle parked upon any belaward or through street in Saltimore County during the hours belaward or through street in Saltimore County during the hours and the saltimore county or through streets in pro-habited, subject to the following provision of this Section Saltimore, County Saltimore, County Saltimore, County Saltimore, Sal

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(b) The [Director] Chief of [public safety] Police shall not take possession of and remove any motor which unless the Director of Trailic Engineering shall have adopted a regulation declaring used to be subject to the provisions of this Section and unless sizes to be subject to the provisions of this Section and unless sizes to be subject to the provisions of this Section and unless sizes to be subject to the provision of this Section and unless sizes to be subject to the problem of the provision of the Section shall not subject the provision of the Section shall not subject the provision of this Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not apply to make the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of the Section shall not be provided to the provision of

(c) For the purpose of performing the duties imposed by this Section, the [Director] Chief of [public safety] Police is subscribed by contract. In the my cere which by means of county equipment on by contract. In the my cere which by postage is a property or upon private property by suitable contract. Provided, however, that any contract for the removal or storage of the provisions of the purchasing set of a felliment Canaly.

(d) To derive the cost of moreing or towing any such vehicle and of storing the same, the [Director] Chief of [Dublic safety]. Pikelic is authorized to dopt and from time to time same an achedule of reasonable charges to be paid by the owner of any impounded of reasonable charges to be paid by the owner of any impounded which before it may be delivered. to him. Provided, however, that which before it may be delivered to him. Provided, however, that proposed for the violation of any years for our regulation.

18-29.2. Disabled veterans, special parking permits.

Bushled veterans who have been granted automobiles under reference to the property of th

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the towing business, with suitable notification of his reasons for re-

18-37. [Director of Traffic Engineering] Chief of Police.

18-57. [Director of Traffic Engineering] Chief of Police.

18-57. [Director of Traffic Engineering] Chief of Police.

Chief Directors (Chief of Double affety) Police of Baltimore Chief Chief of Double of the Police of Baltimore Chief Chief of Chi

18-39. Rules and regulations.

The [Director] Chief of [public safety] Police shall have the power to make and enforce any and all reasonable regulations to effective the purposes of this subheading.

Dvty person who shall be licensed in the towing husiness, made the property of the property of the property of the with the Director County, about in the amount of the theory of the with the Director County, about in the amount of its theory of the property damage occurring the owner of any automobile or any property damage occurring thereto, during the time that it shall be in the possession of the

18-43. Delivery of vehicle.

A towing company acquiring custody and control of a vehicle pursuant to the provisions of this subheading, shall deliver custody

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and control thereof to the Directory Chief of Emblie safety]. Police, within twenty-four hours after acquiring said whichs, by delivering the same to the closes the tensed storage into unless a signed silvering the same to the closes the tensed storage into unless a signed with the control of the same properties of the said owner, which complies with the soning regulations of Estimotro County. If the which is delivered to a place of storage authorised to the said owner, which complies with the soning regulations of Estimotro County. If the which is delivered into the custody and control of the safety of the which with in his custody and control. Provided, however, that nothing herein contained shall be control of the safety of the which with his custody and control. Provided, however, that nothing herein contained shall be control of the safety of the which will add yet substituted to the safety of a which, or his day substituted control of the safety and the safety and the safety which is upon payment to the towing company or to the Directory Chief of public safety? Police, as the case may be, and the safety is the safety and the s

18-4. Violations.

Any person who shall violate any of the provisions of this sub-basiding shall be subject to a penalty of one hundred dollars for said offens, recoverable with costs. In addition, the Directory of the costs of the cost of the co

18-48. Parking Meter Zones.
Subject to Section 18-82, the Department of Frublic Safety J
Tuffic Engineering with the approval of the County Administrative
Officer, in hereby subtorized, by regulation, to establish and from
the processor of the section of the se

18-49. Periods and rates.

The Department of [public safety] Traffic Engineering, with the approval of the County Administrative Officer, is hereby authorized, by regulation, to establish and, from time to time, change

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the lawful parking time period, hours and days of operation and rate for any parking meter zone, provided that the legand stached to vided further that the rate for parking shall not be more than five entits per one-half hour nor less than five cents per one-hour, and that the period of lawful parking in any parking meter zone will not

18-50 Parking Meter spaces

Its-50. Parting Meter spaces.

The Department of [public safety] Treffic Engineering, with the approval of the County Administrative Officers, shall designate meter is to be used. As a proportion of the county Administrative Officers, shall designate meter is to be used. by appropriate markings upon the street. Parking netter spaces so designated shall be of appropriate length and width as to be secretable from the traffic lasses of such treft. No parking netter spaces so designated shall be of appropriate length and width as to be secretable from the traffic lasses of such treet. No parking net to be such as the such states of the secretable spaces are such as the such

18-51. Parking Meters.
(a) The Department of [public safety] Traffic Engineering, with the approval of the County Administrative Officer, shall install parking meters in the parking meter are rose upon the curb immediated scient to each designated parking space. Such meters shall of an appropriate coin of United States currency, for the full period of time or fraction thereof for which parking is lawfully permitted in any such parking meter zone.

SECTION 2. And be it further enacted, That Sections 19-3(b), 19-3(c), 19-5.5(j), 19-10, 19-11, 19-15.1 (a), 19-15.2, 19-15.4 and 19-15.5 of the Baltimore County Code, 1985 (1986 Cumulative Supplement) Title "Offenses—Miscellaneous" be and they are hereby repealed and reenacted with amendments to read as follows:

19-3. Firearms—Discharging within metropolitan district.

(b) The Police [Bursary] Department shall post in the county courthouse and also in every police station and substation through-out the county, accurate maps designating the locations of the boundary lines of the metropolitan district as set up pursuant to the provisions of Sections 28-2 and 38-27 of this Code.

provisions of Sections 32-8 and 32-7 of this Code.

(c) Nothing in this section shall be held to apply to or prohibit the discharge or firing of any such firearms on permanently located, properly posted and homa fole target ranges, the location of which has been filed with the Police [bureau] Department; nor to the firing or for the defense of life or property; nor to the discharging or firing of any such firearms on any military occasion when the same is done under the orders of an officer in command thereof; nor prohibit the

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discharging of a shot gun by a licensed hunter, properly hunting in season, provided such shot gun contains no heavier than No. 2 shot

19-5.3. Kosher Foods.

19-5.3. Kesher Foods.

19 For proper enforcement of the provisions of this section. The proper enforcement of the provisions of this section. The proper enforcement of proble safety, and the provision of proble safety applications of the provision of the section of the property of the County of

19-10. Parades; permit required.

19-10. Parades: permit required.

It shall be unlawful for any organization or persons to purade through the highways of Baltimore County without first having obtained a permit from the Directord Tokin of Dublic satesty Politics. All applications for such a permit shall be filed at least seven under the permit shall be the at least seven unpolled by the state of any proposel paraset upon forms to be called the proposel proposel paraset upon forms to be called the proposel paraset upon forms to the Directory Cokin of Dublic satesty Politics and to state the highways through which, and the hours within which the parade is to pass and such other information as he may presently. It shall be the duty of the Directory Cokin of Dublic proposely. The proposely of the Directory Cokin of Dublic and the proposely of the Directory Cokin of Dublic and the proposely of the Directory Cokin of Dublic and the Dublic and Dublic

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three days prior to the date on which it is desired to hold any such parade, whichever event shall first occur. All such permits shall be issued free of any charge. Any permon or persons holding a parade or participating therein for which a permit has not been issued shall be guilty of a misdemeanor and conviction thereof, shall be subject to a fine not exceeding twenty-five soldars.

19-11. Wearing fire or police department uniforms, insignia.

19-11. Wearing fire or police department uniforms, insignia.
It shall be undward for any person, union duty surfaces by the
Observation of building person, pe

19-15.1. Same, permit required.

19-10.1. Same, permit required.

(a) No person shall engage in business as a carrasser or solidate by calling at residences without the previous consent of the occupant for the purpose of soliditing douations without first obtaining such solidations without first obtaining such solidations without first being such solidation to the insular without first being approved by the figure of public safety] Chief of Police of Baltimore County.

19-15.2. Exemptions.

19-10. Exempuon.
The provision of Section 10-15.1 shall not apply to any established person organized and operated exclusively for religious and charitable purposes and not opened for the pecuniary gain of any person, nor shall the provision not obscine 10-15.1 apply to those religious or charitable organizations of socion 10-15.1 apply to those religious or charitable organizations/approved by the Baltimore County Police [Eureau] Department.

19-15.4. Investigation

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The Director of Public Safety] Chief of Police shall examine all applications of the spirit shall make such further investigation of the applications are shall deem necessary in order to determine whether polication are shall deem necessary in order to determine whether or not the solicitation requested whether or not the solicitation requested would be a fraud on the public.

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19-15.5. Granting or Denying Permit.

A permit shall be approved by the [Director of Public Safety]

Chief of Police unless he shall and that there exists any of the following grounds for denial:

(a) A permit shall be denied if any of the statements made the application are untrue.

(b) A permit shall be denied unless the [director] chief shall find that each of the following conditions exists:

(1) That all the statements made in the application are true. (2) That the applicant has a good character and reputation for honesty and integrity, or, if the applicant is not an individual, that every principal member, officer or agent of the applicant has a good character or reputation for honesty and integrity.

(3) That the applicant is not et aged in any fraudulent

(4) That the solicitation will not be a fraud on the public. (5) That the solicitation will not be conducted primarily for private profit.

(6) That the character and method of the solicitation and its aration are such that it will not be inimical to the safety, conven-nce or welfare of the general public.

SECTION 3. And be if further enacted, That Sections 21-6, 21-8, 21-19, 21-10, 21-10, 21-12, 21-12, 21-13, 21-14, 21-16, 21-16, 21-16, 21-17, 21-13, 21-19, 21-20 and 21-21, of the Baltimore County Code, 1958, as amended, Title "Pensions and Retirement" be and they are hereby repealed and remarked with amendments to read as follows:

Article II. Fire Department Generally.

21-6. Trustees of special fund.

21.4. Trustees of special fund.

The County Administrative Officer, the [Director of Public Safevy] Fire Chief and the Director of Finance, shall be the trustees of Finance, that the Chief and the Director of Finance, that the Chief and the Director of Finance of Engineer Chief and the Safety of Finance of Ballimore County shall be the Time Time of the Safety of Finance of Ballimore County shall be the Time Time to time and the Safety of the Chief and the Safety of the Safety of the Chief and the Safety of the Chief and the Safety of the Chief and the Safety of the Safe

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21-8. Sources of special fund; method of making up deficiencies; title of special fund. The special fund shall consist of

All fines and forfeitures imposed by the county upon any imber or members of the Fire [bureau] Department.

(a) All rewards, gifts, testimonials and emoluments that may be presented, paid or given to any member of the Fire Dureau] Department on account of service except such as the county council allow such members to retain and also all gifts or benefits which may be made to the special fund or to the county.

(3) All moneys, paid, compensation, or salary or any part thereof forfeited, deducted or withheld from any member or members of the Fire Eureau Bepartment on account of absence for any cause, lost time, sickness or other disability, physical or moral.

(4) A sum of mency not greater than four per centum of the semimonthly pay, salary or compensation of each member of the Fire Dureaul Department entitled to participate in ten special fond, which sum shall be deducted every pay day from the pay, salary or compensation of each and every member of the Fire Dureaul Department by the Director of Finance who shall deposit the same to the remit of special from

the same to the tradit of special fund.

(5) In case the amount derived from the different sources mentioned in this section and from the special fund shall not be sometiment of the same than the country at any time to pay in full the salariest abail, at the same time that the same than the same time to the salariest abail, at all times be a first charge on such fund, the works abail at all times to a first charge on such fund, the work of the same times the same times to the same times to the same times the same times to the same times times to the same times to the same times to the same times times to the same tim

The Director of Finance shall keep such special fund separate under the name of the Firemen's Special Fund of Baltimore County.

21-8.1. Disa Retirement Benefits. 21-8.1. Disa "Retirement Benefits.
Upon applicatitis, a permanent member of the Fire [Jureau]
Department who has ized five or more years of creditable services
such member may be retirech by the trustees of the Firment's Special
such member may be retirech by the trustees of the Firment's Special
such member is mentally or physically incapacitated from the
framework of the firment of the such member; almost of such member; almost of such member; almost of such member; almost of the such member is mentally or physically incapacitated from the
framework of the such as the such member; almost of the such member is mentally or physically incapacitated from the
formation of the such members of the firment of the such members of the such

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which shall be made on the following basis: For any such permanent member who has been an employee of the Fire [Dursau] former than the who less than ten years, the ordinary disability been the percent of the annual salary which he last received as such employee for most han toy year, a saliditional two and one-half percent shall be added for each year slowes tony pass of dearwise, which shall be added for each year slowes tony pass of dearwise, with additional two and one-half percent shall be added for each year slowes tony pass of dearwise, with additional two and one-half percent shall be added for each year slowes tony pass of dearwise, with additional two percents and the percent shall be added for each year slowes tony pass of dearwise, with additional two percents and the percent shall be added for each year slowes they pass of dearwise, with additional two percents and the percent shall be added for each year slowes they percent shall be added for each year slowes the percent shall be added for each year slowes th

21-9. Amount of baselfs for retired membe:

The Director of Personnel is haveby authorized to retire from
office in the Fire Bureau Department any permanent member
office in the Fire Bureau Department any permanent member
disabled while the department of the permanent permanent
annually an amount equal to so-shalf the yearly amount received by
nember so retired up-n a pession roll and to allow r. and place the
member so retired up-n a pession roll and to allow r. and place the
member so retired up-n a pession roll and to allow r. and place the
provided, that no memor the permanent psychological provided, that no memory provided, that no memory provided, that no memory provided for, and their findings as to the disability
provided, that no memory provided for, and their findings as to the disability
to the Director of Personnel; the shall have been certified by them
that be selected and compensated, as provided in Section 21-17 of this
Cofe as amoreded.

Authority to pension widows and infant children of fire-men killed in line of duty.

The county is hereby authorized to make such provisions for pensioning the widow and infant children of firemen who have been killed in the active discharge of their duties as members of the Fire [Dureau] Department as in the judgment of the county shall be just and proper.

21-12. Retirement benefits for twenty years of service

21:12. Retirement benefits for twenty years of service
Any permanent member of the Fire Dureau] Department including the chief engineer, who shall perform failtful service in the
Flurmau] department for a period of not less than twenty years, may,
placed upon the person roul as provided in Section 12:9 of that Code
and entitled to all benefits thereform as therein provided for All
members of the department, including the chief engineer, shall for
have served in the department; piet to June 1, 1922. The thyr may
have served in the department piet to June 1, 1922, and
pensioning provisions effective as to the Fire FlurmauI) Departhalls jupply only to the chief engineer, his ansistants and
city of the operation of fire fighting the chief of the content of the permanent of the fighting
day of the operation of fire fighting machinery in actual service and

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21-12.1. Payments to 10 year employees.

21-13. Authority to increase pensions.

The county is hereby suthorized to increase the pensions of retired fremen in order that a retired fireman shall at all times receive a sum equal to one-half of the salary of an active member of the Fire Dureau] Department of the same rank the pensioner held at the time of his retirement.

Article III. Police [Bureau] Department Generally.

21-14. Trustees and treasurer of special fund; powers.

21-14. Trustees and treasurer of special fund; powers.

The County Administrative Officer, the Director of publicativety Chief of Police and the Director of Finance shall be the trustees of the special fund hereafter mentioned. The [Trassurer of Director of Finance shall be the treasurer of the property which shall pull of the property of the shall pull of the state of the special fund as they may deem best.

21-16. Sources of special fund; appropriations for deficiencies; official title of fund.

The special fund shall consist of:

All fines and forfeitures imposed by the county upon any member or members of the Police [bureau] Department;

2. All rewards, gifts, testimonials and emotioments that may be presented, paid or given, to any member of the Police [Dursau]. Department on account of service except such as the county allows the members to retain and also all gifts or benefits which may be made to the special fund or to the county;

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- 3. All moneys, pay, compensation or salary or any part thereof forfeited, deducted or withheld from any member or members of the Police <u>Eureaus</u> <u>Department</u> on account of absence for any cause, lost time, sickness or other disability, physical or moral.
- A. A sum of meany not rease than four per centum of the semi-monthly pay, salary or compensation of each member of the Police Dursaral) Department entitled to participate in the special fund, which sum shall be deducted every pay day from the pay, salary or compensation of each and every member of the Police Dursary) Department of the Police and the pay of the pay, salary or compensation of each and every member of the Police has a true to the credit of salad special fund.
- the same to the credit of said special fund.

 5. In case the amount deriver from the different sources mentioned in this section and from the special fund shall not be sufficient to enable the country at any time to pay in full the salaries or period to the said of the country at the said of the country shall appropriate such sum as may be necessary to meet such deficiency and they are authorized to levy such tax upon the assessable property of the country same plane energy to raise each one.

21-16.1. Disability Retirement Benefits.

21.16.1. Disability Relitement Benefits.

Upon the application of pernament member of the Police Dureas] Department who has had five or more years of creditable service axion member may be retired by the trustees of the Policement's Special Pand of Baltimore County on an ordinary disability retirres provided for, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated member in the provided for, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated. Upon retirement for ordinary disability any permanent member of the Police Dureau Department all bush member about the retired. Upon retirement for ordinary disability any permanent member of the Police Dureau Department ability perment allowance from the Policement's Special Fund of Baltimore County which shall be made on the following basis: For any such permanent member who has been an employee of the Police virtuinary disability benefit allowance shall be twenty-five persent of the annual salary which he last received as such employee. For any such permanent member who has been an employee for more than ordinary disability benefit allowance shall be twenty-five persent of the annual salary which he last received as such employee. For any such permanent member who has been an employee for more than ordinary than the province of the salary which he last received as such employee. For any such permanent member who has been an employee for more than the province of the salary permanent disability or twenty years of twenty ye

21-17. Retirement for permanent disability or twenty years of

The Director of Personnel is hereby authorized to retire from the office in the Police [bureau] Department, any permanent member

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21-18. Refund of money paid into the special fund.

21:18. Refund of money paid into the special fund.

Any person who has been an officer or employee of the Police

Fourward Department for more than ten years, and who has contributed to the special fund and who for any reason coaces was used

an officer or exceeding the contract of the property of the Police

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21:19. Authority to pension special police officers.

The county is breby authorited and empowered, in their discretion, to retire and pension any special police officers of the regular police of the pension of the pension of the regular police planes of the pension of the regular police planes of police planes

21-20. Authority to increase amount of pensions.

21-20. Authority to increase amount of pensions.
The county is hereby authorized to increase the pensions of retired policemen in order that a retired policeman shall at all times receive a sum equal to one-half of the salary of an active member of the Police [bureau] Department of the same rank the pensioner held at the time of his retirement.

21-21. Authority to pension widows and infant children of policemen killed in line of duty.

The county is hereby authorized to make such provision for pensioning the widow and infant children of policemen who have

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been killed in the active discharge of their duty as members of the Police [bureau] Department as in the judgment of the county shall

SECTION 4. And be if further exacted, That Special Begulations Numbers 1.01, 1.02, 1.03, 1.04, 1.08, 1.09, 1.07, 2.01, 2.02, 2.03, 2.04, 6.05, 6.06, 6.07, 6

22-3.2. Police and Fire [Bureaus] Departments—Special Rules and Regulations.

Special Regulation 1.01. Special Rules and Regulations are those rules and regulations which apply only to employees of the Police and Fire Bareaus Departments for the Department of Public Safety] relating to employment, promotion, asspension and dismissal as provided in Art. VIII, Section 802 [11] [10] (1) of the Baltimore

Special Regulation 1.02. Employees of the Police and Fire Eureaus Departments as set forth in 1.01 shall mean only those employees of the Department of Public Satesty 3 and departments who shall take an oath of office administered by the Clerk of the Circuit Court for Baltimore County.

Gircuit Court for Baltimore County.

Special Requisition 1.03. The words Trial Board when used in these Rules shall refer to the Board convened by the [Director of Public Safety] Administrative Officer for the purpose of hearing Charges and Specifications filed against any employee of the Police or Fire [Director Director Sect. Trial Country of the Police or Fire (Director Director). Such Trial Country of the Police or Fire (Director) and the Country of the Police of Fire Police or Fire (Director). The Police of Fire Police of the Police of Police

Special Regulation 1.04. Sumruary Suspension where used in these rules shall mean a suspension of an employee, placed in effect immediately due to the nature of the situation regarding the susy-asion and shall be effected by any ranking command officer of either the Police or First [Bureau] Berpartners—I tay purpose being to permit a command officer to immediately deal with a situation which has occurred, and in which dealy in time would be a detriment in the

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Special Regulation 1.05. A Ranking Command Officer when used in these rules shall mean a Lieutenant or higher in the Police [Bareau] Department or a Battalion Chief or higher in the Fire [Bureau] Department.

Special Regulation 1.06. Administrative Suspension when used in those rules shall mean a suspension of an employee, placed in effect only by the Chief of the Police (Bursal) Repursation of the Chief of the Police (Bursal) Repursation of the Chief of the Fire (Bursal) Repursation of the Chief of the Fire (Bursal) Repursation of the Chief of the Fire (Bursal) Repursation of the Chief of the Chi

Special Regulation 1.07. Order, Regulation and Directive when used in these rules shall mean any Order, Regulation or Directive issued verbally or in writing to members of the Police or Fire [Bureau] by the Chief of the [Bureau] Department.

Special Regulation 2.01. Publi: announcement of proposed tests and acceptance of applications for employment in the Fire and Police [Bureaus] Departments abull be posted on a bulletin board easily accessible to the general public in the Office of Personnel.

Special Regulation 2.02. Announcement of an opening or openings in the Fire and Police [Bureaus] Departments shall be posted on the Office of Personnel bulletin board for at least five working days prior to the holding of the entrance examination administered by the Office of Personnel.

Special Regulation 2.03. All appointments made to the Fire and Police [Bureaus] Department of the Department of Public Safety] adal be made from qualified applicants, and all applicants for example and the properties of age, and the properties of the prop

Special Pegulation 20.4. All applicants for employment in the Police and Fire Bursaus] Department must pass a physical examination of Properties or physicals application by the Director of Public Scale (Physicals application by the Director of Public Scale (Physicals application and Physicals application and Physical (Physical Scale (Physical Scale

Special Regulation 2.05. All applicants for appointment to the Police and Fire [Bureaus] Departments shall be proven by investigation to be of good reputation, character and morals.

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employee's last known address, as contained in the records of the Police or Fire [Bureau] Department, setting a time, date and place for a Trial Board hearing.

Special Regulation 6.14. The [Director of Public Safety Administrative Officer shall act as Chairman of the Trial Board ma dismiss any proceedings or prescribe any disciplinary action up and including dismissal from the Police or Fire [Boreau] Depart and including dismissal from the Police or Fire [Boreau] Depart of the Police of Fire

Special Regulation 6.16. Any employee suspended shall be re-lieved of all official duties, placed in a leave without pay status and shall surrender all official equipment and identification issued to him by the Fluvanil

Special Regulation 6.16. Any Police or Fire [Bureau] Department employee may be suspended for any act or failure to act which is deemed a breach of discipline, order, regulation or directive, existing or as may be issued from time to time by the Chief of the Police or Fire [Bureau] Department provided the order, regulation or directive has been issued in writing and made available to all Police and Fire [Bureau] Department personnel.

An Administrative Suspension shall be one placed in effect only by the Chief of the Police or Fire [Bureau] Department, and shall be predicated upon the fact or facts involving an infraction of order, regulation directive coming to his attention subsequent to the commission of the infraction. The Chief of the [Bureau] depertment may invoke the same disciplinary steps provided for in Special Regulation 608, and he procedure to be followed shall be the same.

Wherever any disciplinary action other that the filing of charges and policies of the control of

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(Page 21-Bill No. 122)

Special Regulation 2.06. Applicants for employment in the Police and Fire Bureaus Departments must pass an entrance examination administered by the Office of Fernonnel and must achieve a minimum passing grade to be established by the Director of Parisonal earl of Personnel and the Director of Pablic Sately; Chief of the respec-

Special Regulation 2.07. The Director of Personnel shall prepare an eligible list of applicants who have successfully completed the written examination and the required investigations as to reputation with the state of the state of the state of the state of the state the order of relative standing secretary and the state of the Folice or Fire Bursaul Department prior to certification of the examining physician or physicians as being capable of meeting the physical, medical and mental requirements established by the Administrative Officer for the Director of Table Sate(s).

Officer for the Director of Public Safety.]

Special Regulation 2.68. List of eligible applicants for employment in the Police [Bureau] Department of the Fire [Burnau] Department shall stand for one year from the date of posting unless it is found necessary to make public announcement of a new examination within a year. After the expiration of a eligible list, all applicants will be removed from consideration. New entrance examination within a year. After the expiration of an expiration of a manufacture of the preceding list to allow compliation of a new eligibility list.

Special Regulation 2.10. When vacancies occur in the Police or Fire [Bureau] Department, The Director of Personnel shall, upon the request of the [Director of Police Safety [Asis] of the respective department, certify from the eligible list [10 the Director of Public Safety] a list of names equal to the number of vacancies to be filled. The Director of Personnel must certify the applicants in numerical standing according to the general severage rating some numerical standing according to the general severage rating some

Special Regulation 2.11. The probationary period for all ap-pointees to the Police and Fire Elureaus] Departments shall be for a period of one year from the date of appointment except for patrol-man which shall be for a period of two years from the date of appoint-

Special Regulation 2.12. Patrolmen and firemen may be removed at any time during the probationary period by the Chief of the re-spective [Bursung] Department [with the approval of the Director of Public Safety], and will not be afforded an opportunity of hearing before the Trial Board.

Special Regulation 4.01. Employees of the Fire and Police Sureaus] Departments should be appraised at least once a year by sir immediate superiors, and the results of such appraisal should discussed with the employees being appraised. The purpose of cea appraisals is to encourage employee growth and development.

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Special Regulation 4.02. The appraisal by the superior and any comments of the employee being appraised shall be forwarded to the Director of Personnel by the chief of the appropriate [Bureau] department for inclusion in the employee's personnel file.

experiment for incusation in the employee presonnel that Special Repulsion 5.01. In order to promote high meade and discipline in the Police and Fire (Bureaus) Department of the circum-tance orders, regulations and directives as all other members to the Folice and Fire (Bureaus) Departments as far as the same are applicable and shall be considered as exceptions to the County Per-pendiculation of the properties of the county Per-

pine, suspension and dismissal.

Special Regulation 6.01. Any member of the Police [Bureau]
Department or Fire [Bureau] Department may be suspended for
any act of railors to act which is a breach of any [Durapersched]
ment order regulation to time by the Chief of the Fire or Police
[Bureau] Department, provided that each such order, regulation or
directive has been issued in writing and made available to all personnel of the [Bureau] department to which it support to which it support to the provided of the provided of

Special Regulation 6.02. There shall be two types of suspensions administered in the Police and Fire [Bureaus] *Lepartments*: Summary Suspension, and Administrative Suspension.

administered in the Police and Fire [Bureaus] */epertments: summary Surpenson, and Administrative Surpension in the Surpension of the Control of the Contr

(Page 23-Bill No. 122)

disciplinary penalty be imposed as outlined in Special Regulation 6.08 below; or (3) Charges and Specifications be filed against the

employee.

Special Regulation 6.07. The [Bureau] Department Chief may accept, reject or modify first the approval of the Director of Public Safety] ble recommendations of the Police [Inappeterol] Major, the Policy [Inappeter of Public Safety] and the Policy [Inappeter of Public Safety] and Inappeter of Public Safety] and Inappeter of Safety (Inappeter of Safety) and Inappeter of Safety (

(d) transfer within the [Bureau] department.

Special Regulation distributed in the Chief the Burnaul department of the Chief the Ch

Special Regulation 6.11. The [Director of Public Safety] Administrative Officer may modify or amend any Charges and Specifications brought before him before such Charges and Specifications are officially filed against an employee.

are occuracy ness against an emproyee.

Special Regulation 6.12. After the official filing of Charges and Specifications with the Director of Public Safetoy Administrative Office, he may coclaim the Summary Sumpassion for a parel on to to original fiftees calendar day suspension. During this additional thirty day parels, a basting on the Charges and Specifications shall be hold before the Trial Board, unless a postponement is requested and granted.

One postponement not to exceed fifteen calendar days may be granted by the Chairman of the Trial Board to the Defendant and/or either Biarrand depentence Chair provided, however, the request for postponement is received in writing by the Chairman of the Trial time. In any event, all hearings before the Trial Board must b, reall writing, in any event, all hearings before the Trial Board must b, reall writing a sixty calendar days from the day of filing of the Charge, and Specifications. Exceptions to this rule shall be any instance when a supended employee is hospitalized or avraiting trial on criminal charges.

Special Regulation 6.13. The employee against whom Charges and Specifications have been filed shall be notified of such action by forwarding bim a copy of the Charges and Specifications at the

Special Regulation 6.17. A written record of any disciplinary action imposed on any member of the Police or Fire [Bureau] Department shall be made in the employee's next annual perform-

by the [Bureau] department.

Special Regulation 6.22. Any employee who resigns after Charges and Specifications have been filed against him, or who is disseed by action of the Trial Board shall be ineligible for resmoloyment or re-instatement in the Police or Fire [Bureau]

Special Regulation 7.01. To be eligible for promotion to the rank above the one the member of the Fire or Police [B Department currently helds, the employee must meet the

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tional requirements prescribed from time to time by the [Director of Public Safety] department chief and the Director of Personnel.

Special Regulation 7.03. Written promotional examinations for the Police or Fire [Bureau] Department shall be conducted by the Office of Personnel. Such promotional examinations must be given in a manner to code the identity of each employee taking such exami-

Special Regulation 7.04. The identification of the scores of all such written examinations shall be done in the presence of no least han three of the following: a member of the fibrersal department of the fibrersal department of the fibrersal fibrersal for the fibrersal fibre

trative Officer shall appoint a person to act as substitute.

Special Regulation 7.08. Employees taking promotional fitness test shall be required to attain at least such rainiums score in the written examination, as shall be established by the Director of Personnel and the [Director of Public Satety] department clief before in the written examination is not attained by an employee, he shall be considered to have failed in promotional fitness tests and any other composers parts of the promotional fitness tests and any other composers parts of the promotional fitness tests and any other composers parts of the promotional fitness tests and any extra considered to have failed in promotional fitness tests will not be rated. No employee shall be placed on the promotional list absorber rating shall determine the order of relative standing of the employee on the promotional list. This will be decided by seniority within the [Duranal] department, measured from the date of appointment, to the Folice or Fire [Burenal] Department, and assistant will be decided by the sumpleyee whose automates comes first in the alphabet in the

decided by the employee whose surname comes first in the alphabet. Special Bagealton 7.06. When a vacancy is to be filled in the Police or Fire [Bureau] Department, the Ellirector of Public Safetyl Organization 1.06. When I between the Properties of Public Safetyl Organization 1.06 and properties of the Department of the Properties of Public Safetyl Organization 1.06 and properties of the Ellipsia Safetyl Organization 1.06 and properties of Public Safetyl Organization 1.06 and properties of Public Safetyl MICHOPALL



possessing such qualifications of a special nature as are required for the rank in which the vacancy exists; provided, however, that in case more than one such vacancy is to be filled, the number of names certified shall be two greater than the number of vacancies.

Special Regulation 7.08 Members of the Police and Fire Bureaud Deportments certified as eligible for promotion under Special Regulation 7.06 must, prior to appointment, astificationity pass a physical examination to establish that he is physically qualified to perform the duties of the higher rank.

Special Regulation 8.02. All employees of the Fire and Police ureaus Departments will earn sick leave at the rate of 15 days year accruable according to the following schedule:

ACCRUMENT ALLOWED YEAR'S SERVICE

100 days maximum at any time 125 days maximum at any time 150 days maximum at any time 1st through 10th 11th through 15th

Jour and over 190 days maximum at any time 190 days maximum at any time [Bureaux] Departments will be required to comply with any requests for information made by the Director of Personnel through the use of such forms or record.

Special Regulation 9.03. The Director of Personnel shall keep a personnel folder on every employee in the Fire and Police [Bureaus] Departments, showing at least the employee's name, current address, home telephone, education, employment record and service record.

nome teephone, education, employment record and service record.

Special Regulation 10:01. Applicants for employment in the
Fire and Police (Bureau) are required by the laws of the State of
Maryland; provided, however, that such preference shall, in the case
of a tie in examination ratings involving a veterna and a non-veteran
require that the veteran shall be placed about of the anid monveteran
on the employment list.

on the employment list.

Special Regulation 10.02. Employees of the Fire and Police (Boreaux) Departments who leave the county service for entry into the Armed Forces of the United States, shall, an appearance of the property of the States of the Company of the Armed Forces of the United States, which can possition as separation, be reimstanding tilts duties, classification and pay, provided that application for such re-employment is made within intervity days of the data of honorable separation, and such as the employer is still qualified to perform the duties of such position.

ne emptoyee is stut quaimes to persorm the outes or such pesticle.

Special Regulation 1.10.1. The Director of Personnel, upon written recommendation by the Chief of the Fire or Police Bureau [Pepartment, may approve leaves without pay for periods of up to one year to employees presenting valid and sufficient reasons for such leaves. Request for leave in excess of thirty does must be made by

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the employee in writing. Employment elsewhere may terminate such

Special Regulation 12.02. In order to protect the Public Health, Safety and Welfare, employees of the Fire and Police [Bursans] Departments are required to work these hours or days as directed by the Chief of the appropriate [Dursans] department in an order, regulation, or directive issued by him workship or in writing, at their regular rate of pay and regardless of whether anid work days fall on holidays.

Special Regulation 13.02. All orders, regulations and directives of the Police and Fire [Bureaus] Departments now in existence or as may in the future be prescribed shall have full force and effect.

SECTION 5. And be it further enacted, That the designation of Title 24 of the Baltimore County Code, 1958, as amended, be amended to read as follows:

TITLE 24. POLICE [BUREAU] DEPARTMENT.

SECTION 6. And be it further enacted, That Sections 24-3, 24-13(a), 24-13(b) and 24-13A of the Bultimore County Code, 1958, as amended, Tille "Police Bureau," be and they are hereby ropealed and re-gnacted with amendments to read as follows:

24-3. Duties generally of the chief of bureau.

24.3. Daties generally of the chief of bureau.

It shall be the duty of the Chief of the Police [Bureau] Department to require each policeman, at such times of the day or sight as he may be upon duty, to preserve the public peace, prevent crime and protect the rights of persons and property, to see that all law relationships of the property of the public health and the property of the property of the public health and of array property of the public health and of array property of the property of the property and for any neglect or violation of the property and for any neglect or violation of the supposed such officer and report offered for the type the charges preferred in writing against such officer.

(a) In addition to the power and authority hereinlefore granted to appoint and regulate "Police [Burrau] Department, the county is authorized to appoint auth number of secial police officers as they may deem necessary for the proper protection of persons and property in the county.

(Page 31-Bill No. 122)

Dale Anderso ... County Executive

PRESENTED to the County Executive, for his approval this 6th day of November, 1968.

1 HEREBY CERTIFY THAT BILL NO. 122 IS TRUE AND CORRECT AND WILL TAKE EFFECT ON DECEMBER 6, 1968.

Chairman County Council

Harry J. Bart :nfelder,

Herbert Hohenberger, Secretary APPROVED AND ENACTED: November 8, 1968.



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(b) Such special police officers may be appointed or discharged without reference to the provisions of this title relating to regular police officers, and they shall not be members of the regular Police Euroscal Department or entitled to any of the rights and privileges to the provision of the provision of the provision of the provision of the compensation, if any shall perform such duties and receive such compensation, if any shall perform such duties and receive such upon the performance of their duties they shall give such bond, as the country may preserve.

24-13A. Police Cadets; appointment, duties.

24:13A. Police Codets; appointment, duties.
In addition to the power and authority hereinbefore granted to appoint and regulate a Police [Burnau] Department, the County is appoint and regulate a Police Element Department, the county is appoint and twenty-one years to the Police [Burnau] Department, to be known and described as Police Codets, as the country may about the policy of the policy

SECTION 7. And be it further enacted, That Sections 29-12 (a)3, 29-12(c) and 29-12(d) of the Baltimore County Code, as amended, Title "Schools," be and they are hereby repealed and re-cated with amendments to read as follows:

20-12/-12

"Approved inspector" means an inspector approved by the [director of public safety] Police Department to make the inspections under this section.

28-12(c).
The [department of public antety] Police Department is authorized The [department of public antety] Police Department is authorized to the public public

The approved facilities shall be those which are designated by the [director of public safety] Police Department from time to time. Whenever an approved facility is so designated, the Director of Per-

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S. ERIC DINENNA

April 25, 1978

G. Warren Mix, Esquire 202 Loyola Federal Building Towson, Maryland 21204

> RE: Petition for Special Exception SE/corner of Greenspring Valley Road and Old Valley Road 3rd Election District Gerald W. Berg - Petitioner NO. 78-193-X (Item No. 130)

Dear Mr. Mix.

I have this date passed may Order in the above referenced matter, in accordance with the attached.

> Very truly yours, GEORGE D MARTINAK Deputy Zoning Commissioner

GJM:nr

cc: Jerald J. Oppel, Esquire 1600 Maryland National Bank Building Baltimore, Maryland 21202

Mr. Montgomery Lewis, Executive Director Valleys Planning Council 212 Washington Avenue Towson, Maryland 21204

John W. Hessian, III, Esquire People's Counsel

(Page 29-Bill No. 122)

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mits and Licenses, on application of the owner or operator of the approved facility and upon receipt of a fee of ten dolars, shall issue a license to such approved facility for a period of one year, and the renewal fee for such license shall also be ten dollars per year, but not including courty-owned school buses or county-chardered school

SECTION 8. And be it further enacted, That Section 35-3 of the Baltimore County Code, 1958, Title "Administration," be and it is hereby repealed and re-enacted with amendments to read as follows:

35-3. Bond and duties of special officers.

In connection with all special officers who are appointed and natigned to the Police [Dursay] Department for the purpose of serving as achool guards, the providing properties of the purpose of corporations, a bond as least in the amount of one thousand dollars shall be required. The duties of the special officers appointed and assigned to the Police [Dursay [Department shall be that of a school guard; their particular duties and authority shall be prescribed by the Chief of Police Other output.]

SECTION 9. And be it further enacted, That Sections 40A-4 and 40A-6(a) of the Baltimore County Code, 1958, as amended, Title "Pawmbrokers," be and they are hereby repealed and re-enacted with amendments to read as follows:

40A-4. Good character, police [bureau] department, expiration of license prorated fee.

Every applicant for a license to operate a pawnshop in Baltimore County must apply for said license on forms to be supplied by the Director of Permits and License. Application will be required to be photographed and finger-printed on a license of Permits and License. Application will be required to be photographed and finger-printed on a license of properties of the state of the properties of the properties of the properties of the state of printed printed by the properties of the properties o

40A.6. Stolen Goods.

40.6. Stolen Goods.
(a) In the event an item is located in a Baltimore County pawnshop and it has been definitely established that this item was stolen within the boundaries of Baltimore County, and having been positively identified by proper owner and if an arrest and conviction has been made in regard to the laterary of said litter, it will be the responsibility of the pawnbroker to release said item to the Baltimore County Police [Bareasa] Department upon demand. This will be the part of the pawnbroker to release said item to the Baltimore County Police [Bareasa] Department upon demand. This will be the part of the Baltimore County Police [Bareasa] Department upon demand. This will be the part of the par

(Page 30-Bill No. 122)

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executed without the pawnbroker's being reimbursed for the amount of the pledge by the Baltimore County Police [Bureau] Department and/or the actual owner of the item in question.

SECTION 10. And be it further enacted, That Group 4 of Sections 41-4 and 41-38.1 of the Baltimore County Code, 1958 (1966 Comulative Supplement), Tille "Pensions and Retirement," be and they are hereby repealed and re-enacted with amendments to read as follows:

Group 4. Policemen and firemen consisting of the permanent employees of the regular Fire and Police [bureaus] Departments.

A 1-38.1. Certain members of the police and fire Bureau?

departments need not be examined.

Note: thistanding anything to the contrary to tained in section 41-38 of this Coie members of the regular Fire and Toice Dureaus?

Departments applying for administion to the employees' retirement system of Baltimore County need not be examined by the medical board created in section 4:38 of this tilt, provided such members have passed the physical examination required by Special Regulation 220 of section 2-28.2 of the Stallmers County Cool, 1956 (1996)

SECTION 11. And be it further enacted, That Section 45-16 of the Balt.more County Code, 1958 (1966 Cumulative Supplement). Title "Taxicabs," be and it is hereby repealed and re-enacted with amendments to read as follows:

40-16. Same—Free.

The following taxion, driver's license fees shall be paid by the applicant: Three dollars for a virginal license; three dollars for each reneval thereof. A copy — shi license itered shall be for-period to the shall be for-period to the shall be foreign to the shall be foreign to the shall be foreign to the shall be paid by the applications shall be filed in the Department of Permits and Licenses. A fee of one dollar shall be paid by the applicant for replacement of a license lost or stoken.

SECTION 12. Be it further enact.d, That this bill shall take effect at the same time as Bill No. 72, 1968, becomes effective, but shall not take effect at all unkes said Bill No. 72, 1968, is adopted by the voters of Baltimore County at the November 5, 1768 election.

READ AND PASSED this 4th day of November 1968. By Order:

Herbert Hohenberger, Secretary

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EXPLANATION: Italics indicate new matter added to existing law.

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

Stelles see indicates matter stricken out of bill.

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Soming Office by Office Building

Cost of posting preparty of Gerald V. Borg for appeal hearing Case No. 78-193-X - MM/corner of Greenspring Valley Road and Old Valley Road 3rd Election Matrick

One (1) Sign @ \$5.00 each - \$5.00 Total

Stevenson, Maryland 21153 May 24, 1978

HAND DELIVERED

Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Petition for Special Exception SE/corner of Greenspring Valley Road and Old Valley Road -3rd Election District Gerald W. Berg - Petitioner NO. 78-193-X (Item No. 130)

Gentlemen:

We the undersigned, wish to appeal from the Order of the Deputy Zoning Commissioner in the above the captioned for the special exception is adverse to our general melfare, safety and health. The names and addresses of the appellants are listed as follows:

Harry Norman Baetjer, Jr. Jean Hook Baetjer 2217 Greenspring Valley Road Stevenson, Maryland 21153

Ernest Hilton Wright Charlotte Simpson Wright 2201 Greenspring Valley Road Stevenson, Maryland 21153

Clarence Eugene Elderkin, Jr. Helen Chittum Elderkin 2008 Greenspring Valley Road Stevenson, Maryland 21153

Also enclosed is a check in the amount of \$70.00, made payable to Baltimore County, Maryland, said check constituting the Fee For Appeal.



Sincerely,

Ernest Hillon Wright Charlotte Simpson Wright

Clarence Eugene Elderkin, Jr. J.

cc: John M. Heasian, III, Esquire Feople's Counsel for Baltimore County cc: Nr. Montpomery Levis, Executive Director cc: Nr. John Beckley, Fresident The Stovenson-Brocklandville Improvement Association, Inc. cc: Jerald J. Oppel, Esquire

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MOTICE OF BEARING

Not Publishes for Special Induption for Somid V. Bong

PLACE: BOOM 106 COUNTY OFFICE BUILDING, 111 W. CHREAPEAKE AVENUE,

TOMBON. MARYLAND

ZORTEG CONSTISSIONER OF

Hareh 8, 178

S. ERIC DINENNA ZONING COMMISSIONE

office of planning and zon TOWSON, MARYLAND 21204 (301) 494-3351

eting of the above property.

check payable to Baltimore County, Md. and remit to Mrs. An Boom 113 County Office Building, before the hearing.

Yours very truly, Minera

S. ERIC PINEZNA

BAL MORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO 5. Eric Di Nenno, Zoning Commissioner March 13, 1978

Leslie H. Graef, Director of Planning

Profition 78-193-X. Petition for Special Exception for a Heliston

Southeast corner of Greenspring Valley Road and Old Valley Road Petitioner - Gerald W., Berg

3rd District

HEARING: Tuesday, March 14, 1978 (10:00 A.M.)

It is the opinion of this office that the proposed use would be an inappropriate one for this area.

LHG:JGH:rw

office of planning and zoning

G. Warren Him, Beq. 22 V. Penne. Ave. Townen, Mt. 21204

RE: Interim Development Control
. Act (IDCA) Application

Please be advised that your IDCA application for a hearing was approved by the Planning Board on and you may now file your petitions, plats, and description of the Board of hearing in accordance with the Zoning Commissioner's rules for filling the Commissioner's rules f

In order to assist you, we are enclosing a copy of the Zoning Com-missioner's rules for filing and petition forms to be completed by you.

S. ERIC DI NENNA

SED/JED/scv

Enclosures

January 25, 1978

The meeting was called to order by George Stewart at 8:15 p.m. at the Stewanson Methodias Church. There were 23 members present. George began by mantioning that our Association has been very responsive to the far reaching needs of the Community and though we are not overly aggressive, we have 51paced a major role in controlling the overdevelopment of the

The question of defining the boundaries of the Association was raised. The By-Laws state the Association has been organized as follows:

Northern Boundary: North ridge of the Greenspring Valley Southern Boundary: South ridge of the Greensyring Valley
Eastern Boundary: Falls Road (including all property abutting
the east side of Falls Road)
Western Boundary: Park Heights Avenue (including all property

abutting the west side of Park Heights Avenue)

The Treasurer's Report was presented by Bill Brewster. To date there is 53,280.00 in the Savings Account and \$389.00 in the Checking Account. The income ever the past year was 8677.00 and the expenditures were \$1,600.00. It was decided to raise the annual dues from \$5.00 to \$8.00 in light of the fact that our expense far outweighed our income during the past year. We would like to continue to maintain a respectable cash reserve and thus be recognized as a stable force in the Community.

Jim Price, Chairman of the Nominating Committee, introduced the following

President lst Vice-President . . . 2nd Vice-President . John Beckley Jerry Oppel Robert Vogel Thea Buyalos William Brewster

Directors: Edward Heine Leona North Nancy Katz Clifford Silbiger

OBER, GROSS & SHRIVER

BALT'MORE, MARYLAND 21202

February 17, 1978

with fibert B. Scraha of this office that we represent the Stevenson-Brooklandville Improvement Association, Inc. and several neighbors who strongly oppose Gerald W. Berg's application for a special exception to operate a helistop on his Greenspring Valley Road property.

Please send us a copy of the application for special exception and all materials and documents pertinent to this matter, as well as notification of the time

Thank you for your kind attention in this matter.

Very truly yours.

William G. Stewart

Past Presidents

MERUN H. STARING

Mrs. B. Anderson

Dear Mrs. Anderson:

and place of the hearing

cc: Mr. C. Elderkin, Jr. cc: Mr. Ira B. Fader cc: John W. Beckley, Esquire

Baltimore County Office building Towson, Maryland 21204

Room 113

George D. Stewart W. James Price Ira B. Fader, Jr. Clarence Elderkin Howard Baetier, Il

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- 2 -GENERAL MEETING

Past Presidents (cont'd):

Philip Schnering Bernard Schloss Warren A. Burdette

The meeting was then chaired by John Beckley.

CLARK PROPERTY: Jim Ziper announced that the Clark Property has been purchased and that it will remain undivided.

VALLEY HEIGHTS PROPERTY: Jerry Oppel announced that the dispute over the Valley Heights development has been settled. Of the 127 units only 85 will be developed. Additionally, buffer zones abutting neighboring properties will be deeded to the Maryland Environmental Trust. One major result of the suit by the neighbors of the Valley Heights project is the more stringent regulations concerning water testing, control and well performance stendards.

FORT GARRISON SCHOOL: Jerry Oppel also informed us that there is a possibility that the Fort Garrison Elementary School will be closed. Has strongly suggested that those who would be affected by this should write to the County School Board.

MEMBERSHIP COMMITTEE: Bill Stewart will chair a drive for new members.

SIMIR SYSTEM FOR ST. FAUL SCHOOL: The St. Faul School has made arrangements to book a private sever line across Falls Road into the existing public sever system. Jis Frice has heard that the County will not approve this hook-up unless the Valley's Planning Council puts it's stemp of approval on the system. Nr. Frice feels that there is no breast of additional taps into this line.

TRAFFIC PATTERNS AT STRVENSON RAND AND SHOPPING CENTER:

The Association feels that the County and Mr. Venetoulis must be made aware of the grievous situation that exists at the marrowing on Stevenson Road. We feel that it is irresponsible to wait until a serious or even fatal accident occurs before something is done. Joan Oppal, His Heise and Gloria Levenson voluntered to write to the County

HELICOPTER LANDING PAD:

Mr. Gerald Berg has applied for a permit to consturct
a landing pad for his helicopter. The Association voted to go on record as being
opposed to the building of the landing pad by Mr. Berg or by any other persons or

SHOW AND PARKING:
Those in attendance requested all neighbors to be considerate of others and the problems encountered because of cars not being parked properly or being left on the street and impeding the normal flow of traffic. This is particularly important to those persons living north of Greenspring Valley Nosed and using Stewanons Nose.

The Greenspring Valley could be protected and preserved NATIONAL REGISTER: The Greenspring Valley could be protected and prese if the area were included on the National Register. Leona North made brief mention of this and will pursue the possibilities in greater depth.

Edna Amtos Sparks

WA 2 . 78 ºM

ms George Martinak Dep Zoning Commissioner Forson, Ma 21204

Dear Commissioner,

although fam not a party to the forg telepart case, Durge a declined of his request. To allow his petition would be a dangerous precedent to seed in every residential zone.

ordering Dencemon papers,
pollution and noise, interference with
the right of princy would be of
megor important

Her is no peason why all flying to de should my be peathwaited the should drive the aciports. Mr Buy should drive to the reares one when his heli copter should be kept.

should be kept any apparent that any Buy person treety of a helong of the Buy were paid to your don't y the require he hope for your don't y the require he hope for your don't grants

GENERAL MEETING

If any member is interested, a subscription to the Valley's Planning Council Newsletter can be obtained by paying dues of \$10.00. Their address is:

Valley's Planning Council 212 Washington Avenue P.O. Box 5402 Towson, Haryland 21204

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Thea Buyalos

OBER, GRIMES & SHRIVER WILLIAM A. GRINES (1804-1877) J. NICHOLAS SHRIVER, JR. (1813-1877)

ATTORNEYS AT LAW BALTIMORE, MARYLAND 21202

WASHINSTON, D. C. OFFICE 1725 K STREET, N. W. WASHINSTON, D. C. 20006 TELEMONE (202) 659-4530 CABLE ADDRESS WITTELS* TELEX 8-7774

March 14, 1978

Mr. George J. Martinak Deputy Zoning Commissioner Baltimore County Zoning Office 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Gerald W. Berg - Special Exception for a Helistop

Dear Mr. Martinak:

As you requested, I am enclosing a Xerox copy of the minutes of the General Meeting of the Stevenson-Brooklandville Improvement Association which took place on January 25, 1978. All dues-paying members of the Association were sailed a notice of the meeting well In advance and a quorum was present.

If you require any further information, please let me know

LAW OFFICE



J.TO- = 11

cc: G. Warren Mix, Esquire (with enclosure)



18-193 X

THE VALLEYS PLANNING COUNCIL, INC. 212 Washington Avenue P.O. Box 5402 Towson, Maryland 21204

March 13, 1978

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

Re: Petition for Special Exception for Helistop, Greenspring Valley Road; #78-198-X

Dear Mr. DiNenna:

We understand that Hr. Gerald W. Berg has applied for a Special Exception to use a portion of his property at Greenspring Valley and Old Valley Roads as a holistop and that, further, a hearing has been scheduled for tomorrow to air this request. We ask that this lotter become a part of the records of said hearing.

Our organisation, made up in great numbers by neighbors of Mr. Berg, is unalterably opposed to greating of this application. In our cpinion, operation of helicopter traffic to and from this location would create an appressive amount of noise, could result in visual distraction to motorists, on the amount of noise, could result in visual distraction to motorist, on the particularly dangerous section of Valley Root fronting Berg's property, and would result in needless danger to mearby residences and livestock along the Valley floor. The proposed use is, moreover, totally us of the caping with the tural residential character of the Greenspring Valley, a factor which we, with aligned organizations and County pianners, have sought so long to pre-

We urge you to deny this request.

Makemy Lici.

TURNBULL. MIX & FARMER 608 BOSLEY AVENUE WSON, MARYLAND 2120

G. WARREN MIX JAMES R. PARMET JOHN W. NOWICK

October 2. 1979

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, ND 21204

RE: Petition for Special Exception Gerald W. Berg Case No. 78-193-X

Dear Mr. Hammond:

There had been an Appeal taken by the protestants from the granting of the Special Exception filed in the above-captioned matter.

I am writing to request the withdraw of all exhibits filed on behalf of Gerald W. Berg at the end of the hearing so that they will be available for the hearing before the Board of Appeals, which is now tentatively scheduled for November ist of this year.

I would appreciate your advising as to when I may pick up the necessary materials.

Thank you for your cooperation.

Very truly yours,

TURNBULL, MIX & FARMER

B. Warren Mix Heb G. Warren Mix

GMM +2 st.



BALTIMORE COLINTY

No. 78-193-X

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner granting the requested special exception with restrictions. The testimony and evidence presented to the Board in this case consumed two court days and in hereafter briefly summarized.

The request is for a special exception to operate a "Helistop" on property owned by the Petitioner which is located in an R.C. 2 zone. The term "Helistoo" is clearly defined in Section 101 of the Baltimore County Zoning Regulations. uses permitted by special exception in on R.C. 2 zone. "Helistop" is specifically noted in Subsection 1A01, 2C13

Question was raised at the outset of this hearing as to whether the Zoning Commissioner, Board of Appeals or any County authority whatsoever had the authority to consider such a request. It was noted that Bill 72-68, passed and adopted by the County Council, abolished the Director of Public Safety, who had been charged with the supervision of "Helistops". This authority was apparently never specifically reassigns and People's Coursel contended that until the County Council corrected this legislative oversight no "Helistops" could be considered. However, Bill 98-75, establishing som new zoning classifications, was approved and enacted on November 7, 1975. Petitioner' erty was zoned into one of these new classifications, R.C. 2. Subsection 1A01.2C13 specifically notes "Helistops" as a use permitted by special exception in an R.C. 2 zone

The zoning process in Baltimore County charges the Zoning Commissions anducting a public hearing and rendering a decision on any matter covered by the Baltimore County Zoning Regulations and properly presented. The Board of Appeals s charged with conducting a "De Novo" hearing on any decision properly appealed from

> MICROFILMED PARTITION OF THE PARTY

BEFORE THE COUNTY PETITION FOR SPECIAL EXCEPTION - HELISTOP GERALD W. BEPS, Petitioner Case No. 78-193-X

MEMORANDUM OF LAW

The Petitioner, Gerald W. Berg, has heretofore bear granted a Special Exception for a beliston located at the southeast corner of Greenspring Valley Road and Old Valley Road in the Third Election District of Baltimore County. The Special Exception was granted by the Deputy Zoning Commissioner on April 25, 1978, and from the granting of said Special Exception an Anneal has been taken to the County Board of Appeals.

A hearing was held before the Board of Appeals on 1. 1979, at which time no final decision was rendered and the case was continued until December 19, 1979. At the hearing held before the Board of Appeals on November 1, 1979. People's Counsel raised the issue that in the definition of a helistop there is language referring to authorization by the Director of Public Safety. The position formerly known as the Director of Public Safety has been abolished and, therefore. the People's Counsel questions the authority of the Zoning Commissioner and/or the Board of Appeals to grant any helistop in view of the fact that it can no longer be authorized by the Director of Public Safety. This Memorandum of Law is directed to that issue and solely to the question of whether or not a heliston can now be granted.

Bill No. 72, 1968, of the County Council for Baltimor County abolished the office of the Director of Public Safety Prior to said abolishment, the Director of Public Safety and

Gerald W. Berg - #78-193-X

an Order of the Zanina Commissioner. The Board felt that the reasonable intent of Bill 98-75 was that all items covered specifically in this Bill would follow this no process, and thus heard the case in its entirety.

The Petitioner presented six witnesses in support of the granting of this special exception. Mr. William Collins, an airport engineer, testified that he visited the site and actually flew from it in Mr. Bera's helicopter. He testified that this site meets all State safety requirements. He also testified that under all State requirements safety or otherwise, this site would be approved. Mr. Gerald Berg testified as to the use for this "Helistop" if approved. He stated that the helicanter was to be used for both pleasure and in conjunction with his own business, and that the average number of trips per week would be two or three. He also testified that coming or going to or fro the proposed "Helistop" god does not require flight over any homes or occupied areas but purely farm land. He answered all parts of Section 502.1 of the Baltimore County Zoning Regulations negatively. Mr. Marshall Silverman, a licensed race horse trainer for 21 years, testified that normal helicopter flights over horses in pastures had no effect on them whatever. Mr. Joseph Ganey, who resides 100 yards west of the proposed pad, testified he had no objections to the proposed use and stated that when inside his home he could not hear the helicopter. Mrs. Duini Briscoe who lives two blocks from the proposed site testified she had no objections to the proposed use. Mr. Arnett Thayer, who resides near Mrs. Briscop, also testified he had no objections to the proposed use. All three residents answered all parts of Section 502.1 negatively. This concluded the Petitioner's core

Two witnesses testified before the Board in opposition to the granting of this special exception. Mr. Harry Baetjer, Jr., who resides at Valley Road and Park Height Avenue, testified that he was opposed to the helipad and its operation. He feared that granting this special exception would create borards and uses not compatible with this rural greg. Mr. Clarence Elderkin, Jr., who resides at 2008 Greenspring Valley Roo also testified in opposition to granting this special exception. He stated that his main

the Department of Public Safety were authorized under the

Baltimore County Charter and was specifically codified as

Section 535 provides as follows:

Public Safety.

sections 534, 535 and 536 of the Baltimore County Charter.

"Section 535, Functions and Duties of the Department of

The department of public safety shall be responsible for administration of the affairs of the police department, friendly department, the county jail, and the civil defense cy, which shall hereafter be designated and known as the

Bill No. 85, 1967, of the County Council of Baltimore

the tire department, the county administrated Normalistand Space of the County of the

County provided the definition for a helistor and at the same

time gave the authorization to the Director of Public Safety

This authorization was previously governed under section 535

Director of Public Safe'y as well as the Department of Public

Safety, designated certain departments who were to administrate

Dapartment of Public Safety. The Chief of Police, which is no

administration of the affairs of the jail bureau and the bureau

thereto by the Director of the County Administrative Office or

of civil defense, and who shall have and perform such other

duties and functions as may from time to time te assigned

by legislative act of the County Council? "The Fire Chief

Bill No. 3, 1968, which abolished the office of

of the Charter when it refers to "shall perform such other

duties and functions as may from time to time be assigned

thereto. . .by ? grislative act of the County Council."

the various duties and functions of the Director and/or

found in section 541 of the Charter, "shall administer the

Police Department and shall also be responsible for the

Gerald W. Berg - #78-193-X

fear was that any malfunction of the machine could cause it to fall onto accomind over one felt that a real danger from this existed. He also felt the proposed use not to be compatible with the rural atmosphere of the area. This concluded the Protestants' case .

The Baltimore County Zoning Regulations clearly recognize the use of R.C. 2 zoned land for a "Helistop" by special exception. In order to grant the special ption as requested, all prerequisites of Section 502.1 must be met. In the opinior of this Board all of these requirements have been met, and the special exception should be granted. The Board would emphasize that this special exception is for a "Helistop" and not a "Heliport". As defined in Section 101 of the Regulations, "Helistop" is strictly a private use and "Heliport" is a commercial use.

OPDER

For the reasons set forth in the aforegoing Opinion, it is this 7th of October, 1980, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated April 25, 1978, is affirmed, and that the special exception petitioned for, be and the same is hereby GRANTED, subject to the followin

- The number of round trip flights from the proper heliston shall not exceed 14 per month.
- Flight approaches shall be maintained over the pproximately 4000 foot field represented by attitioner's Exhibit No. 3.
- The helicopters shall maintain an altitude of n less than 500 feet over all buildings and adjad
- Site plan approval by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning.

Gerald W. Berg - 78-193-X

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure

COUNTY BOARD OF APPEALS

MICROFILMED

shall administer the Fire Department, whereas the Director of Traffic Engineering became the person responsible to administer traffic engineering for Baltimore County." This is the only department, which is now known as the Department of Traffic Engineering, as codified in sections 534 and 535 of the Charter. which could possibly refer to a similar authorization as that held by Director of ac lic Safety concerning helistops. However

MICROFILMED

There has not been any specific department designated andle the authorization of helistops since the abolishment apparent that in no way did Bill No. 72, 1968, abolish or repeat such authorizations of heliports and/or helistops. The Zoning Regulations of Baltimore County provide for heliports and heli stops as they are defined in the general provisions section of the Baltimore County Zoning Regulations. The Baltimore County of the Baltimore County Charter. Section 22-23 of the Baltimor County Code provides the authority for the granting of Special Exceptions by the Zoning Commissioner. That section provides: "Subject to the appropriate principles, standards, rul's, conditions and safeguards as set forth in the zoning regulation; the zoning commissioner may grant variances from area and height regulations and may take special exceptions to the ronling regulations in harmony with their general purpose exceptions and variances shall be subject to special screptions and variances shall be subject to special screptions and variances shall be subject to special screptions and safequards set forth in the soning regulations, and that all decisions of the roning commissioner with respect to such matters shall be subject to appeal to the board of appeals as provided in this article.

Section 500.2.a of the Baltimore County Zoning Regulations provides "that whenever a Petition is presented to the Office of Planning and Zoning for a zoning or district classification or for reclassification of a piece of property, or for a Special Exception, such Petition may be filed with the Zoning Commissioner only if it meets the Zoning Commissioner's rules of practice and procedure. The Zoning Commissioner has the authority to hold public hearings on said Special Exception and after such a hearing he shall pass his order granting or refusing such Special Exception."

The Special Exception for a helistop which has been requested by your Petitioner is located in a R.C.2 Zone. A Special Exception for a helistop is permitted in an R.C.2 Zone under subsection 1A01.2C.13. Such a Special Exception was established by Bill No. 98-75, which bill amended the Baltimore County Zoning Regulations establishing four (4) new zoning classifications and permitting such a Special Exception as has been requested by your Petitioner. Again, these section of the Baltimore County Zoning Regulations are administered and enforced by the Office of the Zoning Commissioner. In view of the fact that Bill No. 98-75 was passed seven (7) years after the abolishment of the Director of Public Safety, it can be strongly inferred that the sholishment of the Direct of Public Safety is in no way meant to also abolish all helistop in Baltimore County.

MICROFUNES

MICROFILMED

MICROFILMED

section 535 of the Charter provides: "The department of traffic engineering shall be responsible for traffic safety and engineering and is hereby granted full power and authority and directed to promulgate and adopt such rules and regulations relating to the standing or parking of more consistent and the movement of wholular and pedsatrian traffic and and account of the safe and expeditions movement of traffic throughout baltimore Country."

The department of traffic engineering shall also have and perfoin such other duties and functions as may be from time to time assigned thereto by directive of the county administrative office: of by legislative action of the county council.

of the Director of Public Safety. However, it is equally Zoning Regulations are administered and enforced by the Zoning Commissioner and/or Deputy Zoning Commissioner for Baltimore County. Said positions having been established by section 522

MICROFILMED

There are existing helistops in Baltimore County, and very recently another helistop has been established at St. Joseph's Hospital. There cannot be an exception to the rule in the granting of one helistop and not another provided the Petitioner seeking the helistop meets those requirements and th burden of proof pursuant to section 502.1 of the Baltimore County Zoning Regulations.

Respectfull submitted,

I HEREBY CERTIFY that on this / day of December, 1975 a copy of the aforegoing Memorandum of Law was hand delivered to John W. Hessian, III, People's Counsel, 102 W. Pennsylvania Avenue, Towson, Maryland 21204.



MICROFILMED

REFORE THE ZONING COMMISSIONE RE: PETITION FOR SPECIAL EXCEPTION SE corner of Greenspring Valley Ro and Old Valley Rd., 3rd District OF BALTIMORE COUNTY . Com No. 78-193-X GERALD W. BERG, Patitions

> ORDER FOR APPEAL

Please note an appeal from the decision of the Deputy Zoning Com in the above-entitled matter, under date of April 25, 1978, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

John 71) Herrin II

I HEREBY CERTIFY that a capy of the aforegoing Order was mailed thi of May, 1978 to G. Warren Mix, Esquire, 202 Leyola Federal Building. and 21204; Jerold J. Oppel, Esquire, 1600 Maryland National Ban ne, Maryland 21202; and Mr. Montgomery Lewis, Executive Director, Valleys Planning Council, 212 Washington Avenue, Towson, Maryland

John W. Hessien, III



County Board of Appeals

Room 218. Court House Towson, Maryland 21204

NOTICE OF ASSIGNMENT

(CONTINUED)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOAD RULE 2(b). ASSOLUTELY NO FOSTPONEMENTS WILL BE GRANTED WITHIN FIFTER (15) DAYS OF SCHEDULED HEADING DATE IN ACCORDANCE WITH RULE 2(c). DAYS OF SCHEDULED HEADING DATE IN ACCORDANCE WITH RULE 2(c). DOUNTY COUNCIL BILL 2 100.

CASE NO. 78-193-0

SE-For Helistop

3rd District

People's Course

ASSIGNED FOR cci G. Women Mix. Esa WEDNESDAY, DECEMBER 19, 1979, or 9 a.m.

Mr. Gerald W. Berr

Mr. Harry N. Bastjer, Jr. Mr. Ernest H. Wright

Mr. Clarence E. Elderkin, Jr.

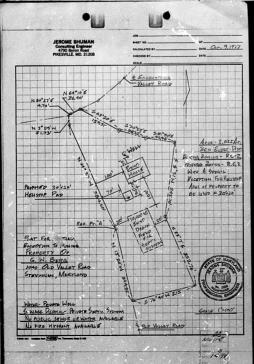
Mr. James E. Dye

Zoning

Mr. James Hoswell Board of Education

Mrs. Carol Beresh

MICROFILMED



494-3180

County Board of Apprais Room 218, Court House

Towner Maryland 21204

Amil 6, 1976

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOADD RULE 2(b). ASSOLUTIET NO FOSTPONEMENTS WILL BE GRANTED WITHIN FIFTER (15) DAYS OF SCHEDULED HEARMS DAYS IN ACCORDANCE WITH RULE 2(b), COUNTY COUNCIES BILL 10B

CASE NO. 78-193-X

GERALD W MERC for SF - Halleton

SE corner Greenspring Valley & Old Valley Rds

4/25/78 - D.Z.C. GRANTED SE, subj. to restriction

ASSIGNED FOR:

WEDNESDAY, JUNE 6, 1979 at 10 a.m.

Mr. Gerald W. Bero Jerold J. Oppel, Esq

Mr. Montgomery Lewis, Ex. Dir. Valleys Planning Council Mr. Harry Norman Bastler, Jr. Mr.Ernes/Hilton Wright

Mr. Clarence Eugene Elderkin. Jr. John W. Hessian, III. Esquire Mr. J. E. Duer

Mr. S. F. DiNess Mr. L. H. Groef Board of Education Mrs. Carol Beres

MICROFILMED

Edith T. Eisenhart, Adm. Secretor

RE: PETITION FOR SPECIAL EXCEPTION SE corner of Greenspring Valley Rd. and Old Valley Rd., 3rd District

. BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

GERALD W. BERG. Petitione · Cose No. 78-193-X

.....

ORDER TO ENTER APPEARANCE

authority contained in Section 524.1 of the Baltimore Count I hereby enter my appearance in this proceeding. You are requested to notify

Charles E. Kountz, Jr. Deputy People's Counsel

- W. Hessi

I HEREBY CERTIFY that on this 23rd day of February, 1978, a copy of the oing Order was mailed to G. Warren Mix. Esquire. 202 Lovola Federal Building ore. Maryland 21204. Attorney for Petitione

John W. Hessian, IP



404-2100

County Board of Appeals Room 218 Court House Towson, Maryland 21204 September 20, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL SE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRECT COMPLIANCE WITH BOADD RULE 2(b). ASCOULTEY NO FOSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEADERS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEADERS WILL SE GRANTED WITHIN RULE 2(b). COUNTY COUNCIL. SILL 5 (b)

CASE NO. 78-193-X

SE--For Helistop

SE corner Greenspring Valley Road and Old Valley Road

3rd Distric

ASSIGNED FOR

THURSDAY, NOVEMBER 1, 1979, at 10:00 A.M.

G. Warren Mix, Esq.

Mr. Montgomery Lewis

Mr. Horry iv. Bostier. Jr

Mr. Ernet H. Wright

Mr. Clarence E. Elderkin

Mrs. Cornl Baras

of Old Valley Road.

MICROFILMED

DESCRIPTION FOR "FECIAL EXCEPTION TO ZONING 2000 OLD VALLEY HOAD, THIRD DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning at a point at the intersection of Yalley Road and Old Yalley Road and proceeding North 80° 27' East a distance of 4.70', thence North 64° 10' East a distance of 36.00°, thence South 53° 20° East a distance of 250,31° along the center line of a private road, thence South 90° 53° East a distance of 93,32°, thence South 81° 30° East a distance of 99,96°, thence South 81° 31° Year a distance of 248.70° to a pipe, thence South 230 7° East a distance of 252.75° to a bar, thence South 760 40° West a distance of 215° to a point in the center line of Old Valley Road, continuing North 13° 20' West a distance of 204,85', thence North 240 37' West a distance of 384.20' along the center line of Old Valley Road, thence North 3° 59° West a distance of 31.73° to the point of

The above metes and bounds encompassing an area of 3.035 +/- acres. An existing home is located as shown on the accompanying plats. The helicopter landing pad to be designated as a 30° × 30° area as described next herein, located 20° +/- south of the southwest corner of the home and 70° value

Beginning at reference Point "A" of the Beng Fift and bearing thence North 240 37' West a distance of 60.0', themes bearing North 650 23' East a listance of 70.0° to the southwest corner of the helistop pag, thence bearing North 240 37' West a distance of 30.0', thomes bearing North 650 23' East a intende of 30.0%, themes beering death 240 37 Kent a dist thence South 65° 23' West a distance of 30.0' to the sou heliston mad



BEFORE THE DEPUTY ZONING COMMISSIONER

ORDER RECEIVED FOR FILING

DATE

BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Special Exception for a helistop (helicopter landing pad), as an accessory use to an existing dwelling, on direc acres of land, more or less, at the southeast corner of Greenspring Valley Road and Old Valley Road in the Third Election District of Baltimore County. The subject property is zoned R.C. 2 and is in an area comprised chiefly of open farmland.

Testimony on behalf of the Petitioner indicated that he intends to quietest craft of its kind presently being manufactured in the United States throughout the state, and that the frequency of such trips would be about thre times per week. Counsel for the Petitioner called attention to similar rural aviation installations nearby, including two fixed-wing fields and a heliport.

Expert testimony offered by the Petitioner included that of Mr point on that the proposed approach to the helipad was safe, based upon ng that "approach and departure paths are good and will be over your ty at the lower altitudes"; and testimony by Mr. Marshall Silverman described as a horse trainer with 20 years experience, who stated that oises eminating from a helicopter have no lasting effect upon horse and present only minimal disturbance to them.

RECEIVED FOR FIL

ORDER

Further testimony for the Petitioner was offered by several nearby residents who indicated that the use would not be disturbing to them

Testimony in opposition to the Petition included representatives of Inc. . and a number of nearby residents and landow Objections in general included a desire to "preserve the rural character of noise, an admitted fear of helicopters, possible distraction to motorists, danger to livestock, belief that heliconters are inherently unextend

The Deputy Zoning Commissioner calls particular attention to the criteria for the granting of a Special Exception and to the fact that the County Zoning Regulations clearly recognize the use in question under certain circumstances. In order to grant a Special Exception, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations rough he met. In the oninion of the Denuty Zoning Commissioner, this

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this __25 - day of April, 1978, that the Special Exception for a heliston should be and the same is GRANTED, from and after the date of this Order, subject to the following:

- The number of round trip flights from the proposed helistop shall not exceed 14 per month.
- Flight approaches shall be maintained over the approximately 4000 foot field repre-sented by Exhibit No. 3.
- 3. The helicopters shall maintain an altitude of no less than 500 feet over all buildings and adjacent land.

. 2 .

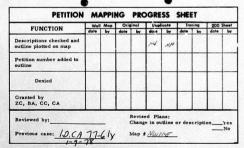
Site plan approval by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and

OFFICE OF FINAMINE - REVENUE DIVISION MISCELLANEO CASH RECEIPT	No. 73336
DATE JUNE 19, 1978 ACCOUNT 01	-662
AMOUNT_\$70	.00
Stevenson, M. Cost of Appeal for you dentity to being the Services of the Serv	. Valley Read,
ري شده 77 وي	70.00ms
VALIDATION OR SIGNATURE OF	CASHIER
BALTIMORE CC INTY, MARYLAND OFFICE OF FINAL REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 5456
OFFICE OF FINAL REVENUE DIVISION	
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OFFICE OF FINAL REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE PRINTS 22. 1978 ACCOUNT 01 AMOUNT 25 MECENTE Q, MAXTER RLY, Dec. 609 Shore	–662 0.00 Lay Ave., Towson, Md.

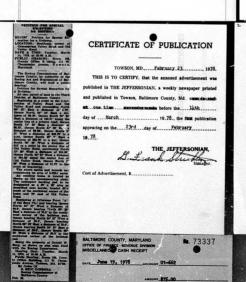
ORDER 1 DATE

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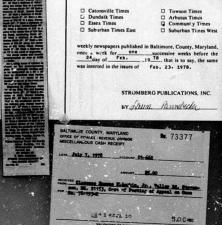


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202 Layela P Structe, ID	BALIFINOM	COUNTY OFFICE OF		2700 0130 407	
		County Office E 111 W. Chesapes Towson, Harylar	ke Ave.		
thio	Your Petit	ion has been rece	ived and accepte	d for filing	
			10	10.21	
			Soning Comm	Issioner	7
	tioner Ger	ency S. W. Min	Reviewed by	Tellus Ann	4



27 8 02 Ja 21

7500mm



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenu Towson, Maryland 21204 Your Petition has been received * this /// day of Filing Fee \$ 5200 .

Petitioner O & block Beng Submitted by C- 1200 M.X

Date of Posting JUNE 30,1978

PETITION FOR ZONING RE-CLASS FICATION AND/OR SPECIAL EXCEPTION

NER OF BALTIMORE COUNTY:

nd (2) for a Special Exception, under the said Zoning Law and Zoning Regul County, to use the herein described property, for holistop purement to section

erty is to be posted and advertised as prescribed by Zoning Rej

filing of this petition, and further agree to and are to be bound by the zoning

Meronini

on, Maxyland

Address .. 202 Loyola Paderel Building Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this..... 1978 -, 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, in two newspapers of general circulation throughout Baltimore County, that property he needed and that

ore County, that property be posted, and that the public hearing be had before the Zoning Que la junca

Zoning Commissioner of Baltimore County.

Further testimony for the Petitioner was offered by several nearby residents who indicated that the use would not be disturbing to them

Testimony in opposition to the Petition included representatives of the Valleys Planning Council, the Stevenson-Brooklandville Improvement Association, Inc., and a number of nearby residents and laudowners. Objections in general included a desire to "preserve the rural character of the land", noise, an admitted fear of helicopters, possible distraction to motorists, danger to livestock, belief that helicopters are inherently unsafe and possible danger during takeoffs and landings.

The Deputy Zoning Commissioner calls particular attention to the criteria for the granting of a Special Exception and to the fact that the Baltimore County Zoning Regulations clearly recognize the use in question under certain circumstances. In order to grant a Special Exception, the prerequisites of Section 502. 1 of the Baltimore County Zoning Regulations must be met. In the opinion of the Deputy Zoning Commissioner, this burden has been met by the Petitioner, and the Special Exception should be

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this _______ day of April, 1978, that the Special Exception for a helistop should be and the same is GRANTED, from and after the date of this Order, subject to the following:

- The number of round trip flights from the proposed helistop shall not exceed 14 per month.
- 2. Flight approaches shall be maintained over the approximately 4000 foot field repre-sented by Exhibit No. 3.
- 3. The helicopters shall maintain an altitude of no less than 500 feet over all buildings and adjacent land.

Case No. 78-193-X (Item No. 130)

Gernld W. Berg

SE/corner of Greenspring Valley Road and Old Valley Road - 3rd Election Distric

1. Copy of Petition

2. Copy of Description of Property

3. Copy of Certificate of Posting

Copy of Certificates of Publication 5. Copy of Zoning Advisory Committee Comments

6. Copy of Comments from the Director of Planning

Planning Board Comments and Accompanying Map 8. Copy of Order to Enter Appearance, John W. Hessian, III

9. Copy of Order - Senior/Deputy Zoning Commissioner - C, with dec. 4]35[78]

10. Copy of Plat of Property

11. 200' Scale Location Plan & gute plan

12. 1000' Scale Location Plan 13. Memorandum in Support of Petition

14. Letter(s) from Protestant(s)

15. Letter(s) from Potitioner(s)

16. Protestants' Exhibits __

17. Petitioners' Exhibits 1 to 13- Photograph 18. Lettersof Appeal (2)

- 4 EY Pictus

21. /IDCA Application and Approval Letter - 1/19/78 -----

G. Warren Mix, Esquire 202 Loyola Federal Building Towson, Maryland 2120;

Mr. Gerald V. Berg Stevenson, Maryland 21153

Jerald J. Oppel, Esquire 1600 Maryland National Bank Building Baltimore, Maryland 21202

. Petitioner Counsel for Protestants

Counsel for Petitioner

Roc'd 6/20/78

Site plan approval by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Towns.

Ernest Hilton Wright 2201 Greenspring Valley R Stevenson, Maryland 2115 *Clarence Bugene Elderkin, Jr 2008 Greenspring Valley Road Stevenson, Maryland 21153

John W. Hessian, III, Esquire

James E. Dyer Zoning Supervisor

Request Motification

PETITION FOR SPECIAL EXCEPTION SE/corner of Greenspring Valley Ros and Old Valley Road - 3rd Election Gerald W. Berg - Petitioner NO. 78-193-X (Item No. 130)

DEPUTY ZONING COMMISSIONER OF

> BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result a Petition for a Special Exception for a helistop (helicopter landing pad), as ry use to an existing dwelling, on three acres of land, more or ess, at the southeast corner of Greenspring Valley Road and Old Valley Road the Third Election District of Baltimore County. The subject property is R. C. 2 and is in an area comprised chiefly of open farmland.

111 111 111

ony on behalf of the Petitioner indicated that he intends to ouire an Engatrom 90 horsepower helicopter, which he described as the latest craft of its kind presently being manufactured in the United States. times per week. Counsel for the Petitioner called attention to similar rural allations nearby, including two fixed-wing fields and a heliport.

Expert testimony offered by the Petitioner included that of Mr Collins of the State Aviation Administration, who stated that it was als opinion that the proposed approach to the helipad was safe, based upon oth state and federal standards for such operations; a letter from Mr. Robert J. Aaronson, Administrator, State Aviation Administration, indicate property at the lower altitudes"; and testimony by Mr. Marshall Silverman, described as a horse trainer with 20 years experience, who stated that soises eminating from a helicopter have no lasting effect upon horses and present only minimal disturbance to them.

1 26 1 IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, OR WE, GO TO 11.8006 LEGAL OWNER OF THE PROPERTY STURTD IN BALTMON COUNTY, THE PROPERTY CUTLINE OF MOCH IS DRIVEN TO SCALE, CONFLETE WITH BEARNOS AND DISTINCES ON 200 HT SCALE MAPS, WHICH ARE ATTACHED HERETO, HERETOY MAYS, APPLICATION TO FILE FOR A SPECIAL EVERY IN A F.C. 2 ZONE TO USE THE HEREN LESCHISTO PROPERTY FOR

Heiston As Accounty use to existing proming THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

CHOSS SITE AREA 3.035 COM DEED REF F.R.G. US 751 533 - MOME - % OF OVERALL SITE WILL RECURRE GRADING GRADING CLC STATE DARGETTS

GROWD TION UA . MEA 30'X 20' NUMBER OF FLOORS NA TOTAL HEIGHT NA DOOS ASTA SULID & TOTAL FLOOR BATA DIVIDED BY DIT AREA = _ NA ____

GROUND FLOOR _ NA _ _ NOONS _ NA

REQUIRED NUMBER OF PARKING SPACES CHOUND FLO A __ KA __ OTHER FLOORS _ KA __ TOTAL KA ____

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SEMER: DELETE BERNATE, TYPE OF SYSTEM SECTION EXISTING UNIONE SECURITY STATES AND SECURITY WITH THE I CONTIFY THAT THE FEWER INFORMATION IS THUS AND MICEGAITS TO THE DEST OF MY KNOWLEDGE AND

Allana Sail 22 W. Panna. Oce. Totain, Md. 21204

OTHER PROPERTY & LANCE

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DATE ONE ON THE STATE OF THE ST NOV 9 77 PM PLANNING BOIFD 3043 3 10CA FC. IM NO. 2 HOUSED 0-12777

menus 2000 05/5/ 180. Statement Codema

IFROME SHIMA Consulting Enginee 445 - 4930

DESCRIPTION FOR SPROTAL EXCEPTION TO SONING 2040 OF D VALLEY RIAD. THIRD DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point at the intersection of Valley Road and Old Valley Road and proceeding North 80° 27' East a distance of 4.70', thence North 64° 10' be a distance of 36.40°, thence South 63° 20° East a distance of 150,31° along the center line of a private road, thence Sor in 74° 55° East a distance of 95.32°, thence South 80° 30° East a distance of 93.96°, thence South 8° 31° West distance of 248.70° to a pipe, thence South 23° 7° East a distance of 252.76° to a bar, thence South 760 40' West a distance of 215' to a toint in the center line of Old Valley Road, continuing North 13º 20' West a distance of 244.85'. thence North 240 37' West a distance of 384.20' along the center line of Old Valley Road, thence North 3° 59' West a distance of 31.73' to the point of

The above metes and bounds encompassing an area of 3.035 +/- acres. An existing home is located as shown on the accompanying plats. The helicopter landing pad to be designated as a 30° x 30° area as described next herein, located 20' +/- south of the southwest corner of the hone and, 70' on, or Old Valley Boad.

Beginning at reference Point "A" of the Berg Plat and bearing themes Torris 240 35 West a distance of 60.05, thorne bearing Morth 500 235 Rang a distance of 70.0' to the southwest corner of the helistop pag, thence hearing North 240 37' West a distance of 30.0', thence a wring North 650 23' great of 20.00. House teacher house 20 20 Each a distance of 20.00 thence South 650 23' West a distance of 30.0' to the southwest cor

- RE: PETITION FOR SPECIAL EXCEPTION SE corner of Greenspring Valley Rd. and Old Valley Rd., 3rd District
- . REFORE THE ZONING COMMISSIONER
- GERALD W. BERG, Petitioner
- OF BALTIMORE COUNTY
-

ORDER FOR APPEAL

Mr. Commissioner

Please note an appeal from the discision of the Deputy Zoning Commissioner in the above-entitled matter, under date of April 25, 1978, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

John W. Hessian, III People's Course County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that a copy of the aforegoing Order was mailed this 23rd day of May, 1978 to G. Warren Mix, Esquire, 202 Loyola Federal Building Towson, Maryland 21204; Jerald J. Oppel, Esquire, 1600 Maryland National Bank Building, Baltimore, Maryland 21202; and Mr. Montgomery Lewis, Executive Director, Valleys Planning Council, 212 Washington Avenue, Towson, Maryland



RE- PETITION FOR SPECIAL EXCEPTION : SE corner Greenspring Valley Road

nd Old Valley R

BEFORE COUNTY BOARD OF APPEALS

Gerald W. Berg, Petitioner

OF BALTIMORE COUNTY

No. 78-193-X

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner granting the requested special exception with restrictions. The testimony and evidence presented to the Board in this case consumed two court days and is hereofter briefly summarized

The request is for a special exception to operate a "Helistop" on property owned by the Petitioner which is located in an R.C. 2 zone. The term "Helistop" is clearly defined in Section 101 of the Baltimore County Zoning Regulations. uses permitted by special exception in an R.C. 2 zone, "Helistop" is specifically noted in Subsection 1A01.2C13

Question was raised at the outset of this hearing as to whether the Zoning Commissioner, Board of Appeals or any County authority whatsoever had the authority to consider such a request. It was noted that Bill 72-68, passed and adopted by the County Council, abalished the Director of Public Safety, who had been charged with the supervision of "Helistops". This authority was apparently never specifically reassigned and People's Coursel contended that until the County Council corrected this legislative oversight no "Helistops" could be considered. However, Bill 98-75, establishing some new zoning classifications, was approved and enacted on November 7, 1975. Petitioner property was zoned into one of these new classifications, R.C. 2. Subsection 1A01.2C13 specifically notes "Helistops" as a use permitted by special exception in an R.C. 2 zone.

The zoning process in Paltimore County charges the Zoning Commissioner with conducting a public hearing and rendering a decision on any matter covered by the Baltimore County Zoning Regulations and properly presented. The Board of Appeals is charged with conducting a "De Novo" hearing on any decision properly appealed from County Board of Appeals

Room 218, Court House Towson, Maryland 21204

April 6, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ASSOLUTELY NO POSTPONE-MENTS WILL BE GRAINTED WITHIN FIFTER IN 15) DAYS OF SCHEDULED HEAP-ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL 108

CASE NO. 78-193-X

494-3180

GERALD W BERG

for SE - Helistor

SE corner Greenspring Valley & Old Valley Rds.

Coursel for Petitione

Counsel for Protestant

4/25/78 - D.Z.C. GRANTED SE, subj.to restrictions

ASSIGNED FOR:

WEDNESDAY, JUNE 6, 1979 at 10 a.m. Petitioner

cc: G. Warren Mix, Esquire Mr. Gerald W. Bera Jerold J. Oppel, Esquire

Mr. Montgomery Lewis, Ex. Dir. Valleys Planning Council Mr. Harry Norman Baetjer, Jr. Mr.Ernes/Hilton Wright

Mr.Clarence Eugene Elderkin, Jr. John W. Hessian, III, Esquire People's Counse Mr. J. E. Dver

Mr. S. E. DiNenn Mr. L. H. Graef Board of Education Mrs. Carol Beresh

Edith T. Eisenhart, Adm. Secretary

Gerald W. Berg - 78-193-X

an Order of the Zoning Commissioner. The Board felt that the reasonable intent of Bill 98-75 was that all items covered specifically in this Bill would fallow this normal process, and thus heard the case in its entirety.

The Petitioner presented six witnesses in support of the granting of this special exception. Mr. William Collins, an airport engineer, testified that he visited the site and actually flew from it in Mr. Berg's helicopter. He testified that this site neets all State safety requirements. He also testified that under all State requir safety or otherwise, this site would be approved. Mr. Gerald Berg testified as to the use for this "Helistop" if approved. He stated that the heliconter was to be used for both pleasure and in conjunction with his own business, and that the average number of trips per week would be two or three. He also testified that coming or going to or from the proposed "Helistop" pad does not require flight over any homes or accupied areas but purely farm land. He answered all parts of Section 502.1 of the Baltimare County Zoning Regulations negatively. Mr. Marshall Silverman, a licensed race horse trainer for 21 years, testified that normal helicopter flights over horses in pastures had no effect on them whatever. Mr. Joseph Ganey, who resides 100 yards west of the sed pad, testified he had no objections to the proposed and stated that when inside his home he could not hear the helicopter. Mrs. Duini riscoe who lives two blocks from the proposed site testified she had no objections to the proposed use. Mr. Arnett Thaver, who resides near Mrs. Briscoe, also tastified he had no objections to the proposed use. All three residents answered all parts of Section 502.1 negatively This concluded the Petitioner's case

Two witnesses testified before the Board in opposition to the granting of this special exception. Mr. Harry Baetier, Jr., was resides at Valley Road and Park Height Avenue, testified that he was opposed to the helipad and its operation. He feared that granting this special exception would create hazards and uses not compatible with this rural area. Mr. Clarence Elderkin, Jr., who resides at 2008 Gruenspring Valley Road, also testified in apposition to granting this special exception. He stated that his main

494-3180

County Board of Appeals

Room 218. Court House

Towson, Maryland 21204 September 20, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE \$(b). ASSOLUTELY NO FOSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE \$(c), DOUNTY COUNCILS BILL \$100.

CASE NG. 78-193-X

ASSIGNED FOR:

GERALD W REDG

SE--For Heliston

3rd District

THURSDAY, NOVEMBER 1, 1979, at 10:00 A.M.

G. Warren Mix, Esq.

Counsel for Petitioner

Mr. Gerald W. Bera Petitione

Jereld J. Occel. Esc

Mr. Harry N. Boetjer, Jr.

Mr. Ernest H. Wrigh

John W. Hessian, III, Esq. People's Counse

Mr. James E. Dyer Zonina

Mr. William Hammond Zonino

Mr. John Seyffert Planning

Mr. James Hoswell

Board of Education

Mrs Carol Barach

June Holmen County Board of Appeals

3

Gerald W. Berg - 78-193-X

fear was that any malfunction of the machine could cause it to fall onto occupied areas and felt that a real danger from this existed. He also felt the proposed use not to be compatible with the ru.al atmosphere of the area. This concluded the Protestants' core.

The Baltimore County Zoning Regulations clear | : cognize the use of R.C. 2 zoned land for a "Helistop" by special exception. In order to grant the special exception as requested, all prerequisites of Section 502.1 must be met. In the apinion of this Board all of these requirements have been met, and the special exception should be The Board would emphasize that this special exception is for a "Helistop" and not a "Heliport". As defined in Section 101 of the Regulations, "Helistop" is strictly a private use and "Heliport" is a commercial use

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 7th d of October, 1980, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated April 25, 1978, is affirmed, and that the special exception petitioned for, be and the same is hereby GRANTED, subject to the following restrictions

- The number of round trip flights from the proposed helistap shall not exceed 14 per month.
- Flight approaches shall be maintained over the approximately 4000 foot field represented by Petitioner's Exhibit No. 3.
- The helicopters shall maintain an altitude of no less than 500 feet over all buildings and adjades

Site plan approval by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning.

County Board of Appeals Room 218, Court House Towson, Maryland 21204

November 2, 1979 NOTICE OF ASSIGNMENT

(CONTINUED)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$108

CASE NO. 78-193-X

GERALD W. RERG

SE-For Helisto

ASSIGNED FOR:

WEDNESDAY, DECEMBER 19, 1979, at 9 a.m.

cc: G. Warren Mix, Esq. Counsel for Petitione

Zoning

Plannin

Mr. Gerald W. Bera

Petitions

Mr. Montgomery Lewis

Mr. Harry N. Boetjer, Ja

Mr. Ernest H. Wright

John W. Hessian, III, Esq. People's Cours

Mr. James E. Dyes

Mr. William Hammond

Mr. James Hoswell

Roard of Education

Mrs. Carol Beresh

June Holmen, Secretary County Board of Appeals

Gerald W. Berg - \$78-193-X

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

T. Hackett

RE: PETITION FOR SPECIAL EXCEPTION Old Valley Rd., 3rd District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COLINTY

GERALD W. BERG, Petitioner : Case No. 78-193-X

..... ORDER TO ENTER APPEARANCE

Mr. Commissioners

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. Deputy People's Counsel

70 Herring TTT John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 23rd day of February, 1978, a copy of the aforegoing Order was mailed to G. Warren Mix, Esquire, 202 Loyola Federal Building, Baltimore Maryland 21204. Attorney for Petitioner-





RECEIVED FINANCIAL STATES 3 2 MEMORANDUM OF LAW

GERALD W. BERG. Petitioner

The Petitioner, Gerald W. Berg, has heretofore been granted a Special Exception for a helistop located at the southeast corner of Greenspring Valley Road and Old Valley Road in the Third Election District of Baltimore County. The Special Exception was granted by the Deputy Zoning Commissioner on

April 25, 1978, and from the granting of said Special Exception

an Appeal has been taken to the County Board of Appeals.

BEFORE THE COUNTY BOARD OF APPEALS

Case No. 78-193-X

A hearing was held before the Board of Appeals on November 1, 1979, at which time no final decision was rendered and the case was continued until December 19, 1979. At the hearing held before the Board of Appeals on November 1, 1979. People's Counsel raised the issue that in the definition of a helistop there is language referring to authorization by the Director of Public Safety. The position formerly known as the Director of Public Safety has been abolished and, therefore, the People's Counsel questions the authority of the Zoning Commissioner and/or the Board of Appeals to grant any heliston in view of the fact that it can no longer be authorized by the Director of Public Safety. This Memorandum of Law is directed to that issue and solely to the question of whether or not a helistop can now be granted.

Bill No. 72, 1968, of the County Council for Baltimore County abolished the office of the Director of Public Safety. Prior to said sholishment, the Director of Public Safety and

the Department of Public Safety were authorized under the Baltimore County Charter and was specifically codified as sections 534, 535 and 536 of the Baltimore County Charter. Section 535 provides as follows:

"Section 535, Functions and Duties of the Department of Public Safety.

The department of public safety shall be responsible for the administration of the control of the police department, the fire department, the control of the police department, the fire department of the control of the police department of the segmony, which shall hereafter be designated and known as the police bursau, the fire bursau, the jail bursau, and the specific police of the police of the police of the police of the sefecty shall be responsible pocketively. The department of publi-tice control of air police of the police of the police of the control of air police of the police of the police of the control of the police of the police of the police of the by legislative act of the county council.

Bill No. 85, 1967, of the County Council of Baltimore County provided the definition for a helistop and at the same time gave the authorization to the Director of Public Safety. This authorization was previously governed under section 535 of the Charter when it refers to "shall perform such other duties and functions as may from time to time be assigned thereto. . . by legislative act of the County Council."

Bill No. 72, 1968, which abolished the office of Director of Public Safety as well as the Department of Public Safety, designated certain departments who were to administrate the various duties and functions of the Director and/or Department of Public Safety. The Chief of Police, which is now found in section 541 of the Charter, "shall administer the Police Department and shall also be responsible for the administration of the affairs of the jail bureau and the bureau of civil defense, and who shall have and perform such other duties and functions as may from time to time be assigned thereto by the Director of the County Administrative Office or by legislative act of the County Council: "The Fire Chief

shall administer the Fire Department, whereas the Director of Traffic Engineering became the person responsible to administer traffic engineering for Baltimore County." This is the only department, which is now known as the Department of Traffic Engineering, as codified in sections 534 and 535 of the Charter which could possibly refer to a similar authorization as that held by Director of Public Safety concerning helistops. However section 535 of the Charter provides:

"The department of traffic engineering shall be responsible for traffic safety and engineering and is hereby granted full power and suthority and directed to promulate and adopt such motor whiches and the relating to the standing or parking of motor whiches and the standing or parking of motor whiches and may be necessary or desirable to create and maintain the safe and expeditious movement of traffic throughout maintain the safe and expeditious movement of traffic throughout motority."

"The department of traffic engineering shall also have and perform such other duties and functions as may be from time to time assigned thereto by directive of the county adminis-trative officer of by legislative action of the county council."

There has not been any specific department designated to handle the authorization of helistops since the abolishment of the Director of Public Safety. However, it is equally apparent that in no way did Bill No. 72, 1968, abolish or repeat such authorizations of heliports and/or helistops. The Zoning Regulations of Baltimore County provide for heliports and helistops as they are defined in the general provisions section of the Baltimore County Zoning Regulations. The Baltimore County Zoning Regulations are administered and enforced by the Zoning Commissioner and/or Deputy Zoning Commissioner for Baltimore County. Said positions having been established by section 522 of the Baltimore County Charter. Section 22-23 of the Baltimore County Code, provides the authority for the granting of Special Exceptions by the Zoning Commissioner. That section provides:

"Subject to the appropriate principles, standards, rules, conditions and safequards as set forth in the zoning regulations the zoning commissioner may grant variances from area and

height regulations and may make special exceptions to the sonning regulations and harmony with their general purposes and intent; provided and intent; provided and intent; provided exceptions and variances shall be subject to appropriate prin-ciples, standards, rules, conditions and safeguards set forth in the sonning regulations, and that all decisions of the zoning in the zoning regulations, and that all decisions of the zoning commissioner with respect to such matters shall be subject to appeal to the board of appeals as provided in this article."

Section 500.2.a of the Baltimore County Zoning Regulations provides "that whenever a Petition is presented to the Office of Planning and Zoning for a zoning or district classification or for reclassification of a piece of property, or for a Special Exception, such Petition may be filed with the Zoning Commissioner only if it meets the Zoning Commissioner's rules of practice and procedure. The Zoning Commissioner has the authority to hold public hearings on said Special Exception and after such a hearing he shall pass his order granting or refusing such Special Exception."

The Special Exception for a helistop which has been requested by your Petitioner is located in a R.C.2 Zone. A Special Exception for a helistop is permitted in an R.C.2 Zone under subsection 1A01.22.13. Such a Special Exception was established by Bill No. 98-75, which bill amended the Baltimore County Zoning Regulations establishing four (4) new zoning classifications and permitting such a Special Exception as has been requested by your Petitioner. Again, these sections of the Baltimore County Zoning Regulations are administ_red and enforced by the Office of the Zoning Commissioner. In view of the fact that Bill No. 98-75 was passed seven (7) years after the abolishment of the Director of Public Safety, it can be strongly inferred that the abolishment of the Director of Public Safety is in no way meant to also abolish all helistops in Baltimore County.

There are existing helistops in Baltimore County, and very recently another helistop has been established at St. Joseph's Hospital. There cannot be an exception to the rule in the granting of one helistop and not nother provided the Petitioner seeking the helistop meets those requirements and the burden of proof pursuant to section 502.1 of the Baltimore County Zoning Regulations.

> Respectfull Bubmitted, Allene Day Warren Mix URNBULL, MIX & FARMER

I HEREBY CERTIFY that on this /7 day of December, 1972 a copy of the aforegoing Memorandum of Law was hand delivered to John W. Hessian, III, People's Counsel, 102 W. Pennsylvania Avenue, Towson, Maryland 21204.



RE: PETITION FOR SPECIAL EXCEPTION . REFOR COUNTY BOARD OF APPEALS OF Gerald W. Berg. BALTIMORE COUNTY No. 78-193-X OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner granting the requested special exception with restrictions. The testimony and evidence presented to the Board in this case consumed two court days and is hereafter briefly summarized.

The request is for a special exception to operate a "Helistop" on property owned by the Petitioner which is located in an R.C. 2 zone. The term "Helistop" is clearly defined in Section 101 of the Baltimore County Zoning Regulations. Unde uses permitted by special exception in an R.C. 2 zone, "Helistop" is specifically noted in Subsection 1401 2C13

Question was raised at the outset of this hearing as to whether the Zonina Commissioner, Board of Appeals or any County authority whatsoever had the authority to consider such a request. It was noted that Bill 72-68, passed and adopted by the County Council, abolished the Director of Public Safety, who had been charged with the supervision of "Helistops". This authority was apparently never specifically reassigned and People's Coursel contended that until the County Council corrected this regislative oversight no "Helis'ops" could be considered. However, Bill 98-75, establishing some new zoning classifications, was approved and enacted on November 7, 1975. Petitioner's property was zoned into one of these new classifications, R.C. 2. Subsection 1A01.2C13 specifically notes "Helistops" as a use permitted by special exception in an R.C. 2 zone

The zoning process in Baltimore County charges the Zoning Commissioner with conducting a public hearing and rendering a decision on any matter covered by the is sharged with conducting a "De Novo" hearing on any decision properly appealed from Gerald W. Berg - #78-193-X

TURNBULL, NO & FARMER FOR BOOLET AVENU TOWSON, MD. 2120

Bill 98-75 was that all items covered specifically in this Bill would follow this normal process, and thus heard the case in its enturety

The Petitioner presented six witnesses in support of the granting of this special exception. Mr. William Collins, an airport engineer, testified that he visited the site and actually flew from it in Mr. Berg's helicopter. He testified that this site meets all State safety requirements. He also testified that under <u>all</u> State requiremen safety or otherwise, this site would be approved. Mr. Gerald Berg testified as to the use for this "Helistop" if approved. He stated that the helicopter was to be used for both pleasure and in conjunction with his own business, and that the average number of trips per week would be two or three. He also testified that coming or going to or from the proposed "Helistop" pad does not require flight over any homes or accupied areas but purely farm land. He answered all parts of Section 502.1 of the Baltimore County Zoning Regulations negatively. Mr. Marshall Silverman, a licensed race horse trainer for 21 years, testified that normal helicopter flights over horses in pastures had no effect on them whatever. Mr. Joseph Ganey, who resides 100 yards west of the proposed pad, testified he had no objections to the proposed use and stated that when inside his home he could not hear the helicopter. Mrs. Duini Briscoe who lives two blocks from the proposed site testified she had no objections to the proposed use. Mr. Arnett Thayer, who resides near Mrs. Briscoe, also testified he had no objections to the proposed use. All tiree residents answered all parts of Section 502.1 negatively. This concluded the Petitioner's case.

Two witnesses testified before the Board in opposition to the granting of this special exception. Mr. Harry Baetjer, Jr., who resides at Valley Road and Park Height Avenue, testified that he was opposed to the helipad and its operation. He feared that granting this special exception would create hazards and uses not computible with this rural area. Mr. Clarence Elderkin, Jr., who resides at 2008 Greenspring Valley Road. also testified in opposition to granting this special exception. He stated that his main

B-12 of the Maryland Rules of Procedure

The Baltimore County Zoning Regulations clearly recognize the use of R.C. 2 zoned land for a "Helistop" by special exception. In order to grant the special exception as requested, all prerequisites of Section 502.1 must be mat. In the colorier of this Board all of these requirements have been met, and the special exception should be The Board would emphasize that this special exception is for a "Helistop" and not a "Heliport". As defined in Section 101 of the Regulations, "Helistop" is strictly a private use and "Heliport" is a commercial use.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 7th of October, 1980, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated April 25, 1978, is affirmed, and that the special exception petitioned for, be and the same is hereby GRANTED, subject to the following

- The number of round trip flights from the proposed
- Flight approaches shall be maintained over the ately 4000 foot field represented by Petitioner's Exhibit No. 3.
- The helicopters shall maintain an altitude of no less than 500 feet over all buildings and adjaden
- Site plan approval by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning.

STEVENSON-REGIONS AND UTTER

January 25, 1978

The meeting was called to order by George Stewart at 8:15 p.m. at the Stewardson Machaelist Charch. There were 25 members present George began by mantioning that our Association has been very responsive to the far reaching meets of the Geometry and though we are not overly aggressive, we have played a radys rels in controlling the worder-dependent of the

The question of defining the boundaries of the Association was raised. The By-Laws state the Association has been organized as follows:

Southern Soundary: South ridge of the Greenspring Valley
Southern Soundary: South ridge of the Greenspring Valley
Eastern Soundary: Palls Road (Including all property abutting
the cast side of Falls Ror')
Park Reights Avenue (Including all property
abutting the west side of Fark Heights Avenue)

The Treasurer's Report was presented by 3111 Breweter. To date there is 5x,280.00 in the Savings Account and \$389.00 in the Checking Account. The Account of the Savings Account and \$389.00 in the Checking Account. The Account of th

Jim Price, Chairman of the Mominating Committee, introduced the following

Past Presidents:

John Beckley

Jerry Oppel Robert Vogel William Broyster

Edward Reine

George D. Stewart

W. James Price Ira B. Fader, Jr. Clarence Elderkin Howard Baetjer, II

Northern Boundary: North ridge of the Greenspring Valley

- 2 -GENERAL MEETING

IMPROVEMENT ASSOCIATION. GENERAL MEETING

Past Presidents (cont'd):

Philip Schnering

The meeting was then chaired by John Beckley.

MALLY HIGHEN PROPERTY.

dery Oppel announced that the dispute over the property of the propert

FORT CAMERISON SCHOOL: Jerry Oppel also informed us that there is a possibility that the Fort Garrison Elementary School will be closed. He strongly suggested that those who would be affected by this should write to the County School Board.

MEMBERSHIP COMMITTEE: Bill Stewart will chair a drive for new members.

The St. Paul School has made arrangements

SHOW AND PARKING: Those in attendance reques: Il neighbors to be considerate of others and the problems encountered by use of cars not being parked properly or being left on the streat and inspeding the normal flow of traffic. This is particularly important to those persons living north of Greenspring Valley Road and using Stevanone Road.

NATIONAL RUISTEE: The Greenspring Valley could be protected and prose. If the area were included on the National Register. Leons North made brief monition of this and will pursue the possibilities in greater depth.

Any appeal from this decision must be in accordance with Rules B-1 thru

COUNTY BOARD OF ARREATS

CLARK PROFERTY: Jim Piper announced that the Clark Property has been purchased and that it will remain undivided.

SCHER AYSIZE FOR ST. PAUL SCHOOL: The St. Paul School has made arrangement to hook a private sever line acress Falls Road into the existing public sever system. Jill Price has heard that the County will not approve his low-oup system. July Price School has the County will not approve his low-oup state. The proposal control puts it's starp of approval on the system. St. Price School hast there is no threat of actional tops into this line.

TRAFFIC PATTERS AT STRVINSON FOAD AM SHOPPING LOWER:
that the County and Fr. Venetcellis must be made aware of the prievous situation
that exists at the marrowing on Stevenson Road. We feel that it is irresponsible
to wait until a serious or oven fatal accident occurs before something is done,
Jam Oppel, like beine and Girta Levenson wollentered to write to the County

BELICOPTER LUMBURY PAD:

Mr. Gerald Berg has applied for a permit to consturet
a landing pad for his belicapter. The Association voted to go on record as being
opposed to the building of the landing pad by Mr. Berg or by any other persons

G. Warren Mix, Esq. 22 W. Penna. Ave. Towson, Md. 2120h

battimore county office of planning and zoning

RE: Interim Development Control
Act (IDCA) Application
577-61-X

SED/IED/

Enclosure

1.15

Gerald V. Borg - Petitioner Please he advised that your IDCA application for a Belietop
and you may any file your petitions, plats, and the September of Things of the plat of the

In order to assist you, we are enclosing a copy of the Zoning Com-missioner's rules for filing and petition forms to be completed by you.

Potitions, Plats, and descriptions Very profy yours, already filed in the Zoning Dept.

Malli Ce

OBER, GRIMES & SHRIVER ATTORNEYS AT LAW

> BALTIMORE, MARYLAND 21202 WASHINGTON, D. C. OFFICE 1728 K STREET, N. W. FASHINGTON, D. C. 20000 TELEPHONE (202) 659-6530 CANLE AGONESE THINET TILES 8-7774

> > March 14, 1978

Mr. George J. Martinak Deputy Zoning Commissioner Baltimore County Zoning Office 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Gerald W. Berg - Special Exception for a Heliatop

Dear Mr. Martinak:

of the natures of the General Meeting of the Stevenson-Brook natures of the General Meeting of the Stevenson-Brook nature of the Stevenson-January 29 and 12 the Stevenson All dues-paying members of the Associat were sailed notes of the meeting well in advance and a

If you require any further information, please

Respectfully,

JJ0:a11

cc: G. Warren Mix, Esquire (with enclosure)



GENERAL MEETING

If an, member is interested, a subscription to the Valley's Planning Council Newsletter can be obtained by paying dues of \$10.00. Their address is:

Valley's Planning Council 212 Washington Avenue P.O. Box 5402 Towson, Maryland 21204

The meeting was adjourned at 9:15 p.m.

Re-pectfully submitted

Thea Buyalos

WER 2 . '78 PM __ Edna Amtes Sparks (B) Borner 201 Lolland Maybe

mr Georg Martinak Dep 3 hing Commissioner

Dated of Colombia

War Commissioner all longh I am not a part, to the ling bed part case, Durge a dehine of his request. To allow his petition would be a dangerous precedent to set in every residential zone.

In and lettern to Concerns of safety, pollution and norse, induference with the right of princy would be 4 There is no reason why all flying offects should not be ristracted to wheel anyorto Mr Bey should dive

should be kept. person textifying a belong the Beg he hope for your denial of the regul

THE VALLEYS PLANNING COUNCIL, INC. 212 Washington Avenue P.O. Box 5402 Towson, Maryland 2120s V Alley 8 - 7807

March 13, 1978

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

Re: Petition for Special Exception for Helistop, Greenspring Valley Road; #78-198-X

Dear Mr. DiNonna

We understand that Mr. Gerald W. Berg has applied for a Special Exception to use a portion of his property at Greenspring Valley and Old Valley Roads as a helistrop and that, further, a hearing has been scheduled for comprove to air this request. We ask that this letter become a part of the records

Our organization, made up in great numbers by neighbors of Mr. herg, is unalterably opposed to granting of this application. In our opinion, operation of helicopter traffic to and from this leastion would create an appressive mount of noise, could result in visual distraction to motorists, on the porticularly damperous section of Valley hand fromting herg's property, and the property of the prop

1- SIGN -

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Location of property: STICER OF GREENSCRUNG VALLEY Rd. AND Ch.

Location of Signs SEICOR OF GREENSPRING VALLEY REALS

Posted for Petition For Special Exception

VALLEY Rd.

CLB VALLEY Rd

Petitioner: Granto W. Berg

Posted by Thomas & Boland

Towson, Maryland

We urge you to deny this request.

Sincerely yours. The affector Live Director

78-193-X

Date of Posting Fig. 24 19

Date of return. I MARCH 3 1978

OBER, GRIMES & SHRIVER ATTORNEYS AT LAW BALTIMORE, MARYLAND BIROR

Area Cone 301 Telemone 885-920 Cance Anness "Armer Teles 8-7776

1726 X STREET, N. W. AMEN COME BOD TELEFRONE 650-4530 CAME ADDRESS TRIVIER

February 17, 1978

Mrs. B. Anderson Room 113 Room 113
Baltimore County Office Building
Towson, Maryland 21204

Dear Mrs. Anderson.

with Booker a. Karehaof a. Strice that we represent the Stevenson-brooklandville office that we represent the Stevenson-brooklandville of the Stevenson-brooklandville of the Stevenson-brooklandville of the Stevenson-brooklandville of the Stevenson beautiful of the Stevenson beautiful or the Stevenson beautiful or the Stevenson beautiful or the Greenspring Valley Road property.

Please send us a copy of the application for special exception and all materials and documents pertinent to this matter, as well as notification of the time and place of the hearing.

Thank you for your kind attention in this matter.

Very truly yours, erald Troppel

GJO:all cc: Mr. C. Elderkin, Jr. cc: Mr. Ira B. Fader cc: Jchn W. Beckley, Esquire

in view of this and sizes the Federal Aviation Administration by letter of samey 31 section and determined that no airspace conflict results from believe has determined that no airspace the site is approved for a private use holiport. The approval does not present or waive any local laws or reputations concerning the establishment of heliports.

7s/ R. J. AMDENSON Robert J. Aaronson Administrator

RJA: 1db

2.4

conclusions/25/enty Planning & Zoning

32C PETITIONER'S EXHIBIT 14

FERRUARY 27 1975

At your request, a representative of this Administration inspected the site of a proposed private use helipad at Stevenson, Maryland

The helipad would be located in an open turfed area south of your residence, at latitude 39° 24' 40° and longitude 70° 43' 10°. Approach and departure paths are good and will be over your property at the lower altitudes.

TO NOTE 1,30 KIS THIS 2/24 2/25

Remount to telephone request from Dave Cocker (pilot for Bur)

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLEG.

Hicholas B. Comod

Bureau of Engineering

Department of Traffic Enginee State Roads Co. Bareau of Fire Prevention

Health Departmen Project Planning Building Dipartmen Board of Education Soning Administration Industrial

G. Warren Mix, Esquire 202 Loyola Federal Building Towson, Maryland 21204

RE: Special Exception Petition Item Number 130 Petitioner - Gerald Berg

March 3, 1978

The foning Plans Advisory Committee has reviewed plans submitted with the above referenced petition and plans submitted with the above referenced petition and plans submitted with the period inspection of the property-inspection. These comments are not intended to indicate appropriateness of the soning action requested, but the appropriateness of the soning action requested, but appropriate the property of the propriate and the propriate and the development of plans or problems with regard to the development of plansing when a bearing on this case. The Director of Planning with recommitment of the surface of the surface plansing of the surface of the surface

the three-plus acre site, located on the southeast cormen at three-plus acre site, located on the southeast presently improved with dreemspring Valley Roads, is no presently improved with dreemspring Valley Roads, is a surrounding land is zoned R.C. 2, as is this property, and consists of rural farm land. As you are aware, and consists of rural farm land. As you are aware, and consists of rural farm land. As you are aware, and consists of rural farm land. As you are aware, and consists of a previous coning value property was the subject of a previous coning value property. As a previous control of the consistency of the consistency

Warren Mix, Esquire Page 2 Item Number 130 March 3, 1978'

At the time of this writing, the comments from the Office of Current Planning and Davelopment were not available. It is suggested that you personally contact Mr. John Wimbley at 494-3335 for his comments on this request.

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

Very truly yours, NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

cc: Mr. Jerome Shuman 4790 Byron Road Pikesville, Maryland 21208



TON M. MOURING, P.E.

Pabruary 7, 1978

Mr. S. Eric DiNenn Zoning Commissioner County Office Buildin

> Re: Item 8130 (1977-1978)
> Property Omea: Garald W. Berg
> S/E or. Greenspring Valley Rd. & Old Valley Rd.
> Existing Zoning: R.C. 2
> Proposed Zoning: Special Exception for a helistop
> (IDCA 77-61E) Acres 3.035 District; 3rd

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

Comments were supplied for this property for Project IDCA No. 77-61x.

Greenspring Ve//ey Road (Md. 130) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Naryland State Ngiway Administration. Any utility construction within the State Road right-Of-way will be subject to the standards, specifications and approval of the State in Addition to those of Batisance County.

Old Valley Rood, an existing public road, is proposed to be improved in the as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of widening, including any necessary revertible easements for slopes, will be requisin connection with any grading or building parasit application.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public buildings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

dating storm water or drainage have not been indicated on

10. Item #130 (1977-1978) Pahruaru 7 1070 Storm Drains; (Cont'd) The Petitioner must provide necessary drainage facilities (tamporary or permanent to prevent creating any muisances or damages to adjacent properties, especially by the concentration of surface vaters. 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. A drainage and utility easement is required through this property. Water and Sanitary Sewer: Public water supply and sanitary sewerops are not available to serve this property, which is using private onatic facilities. This property is beyond the Urban-Pariz Baraction Line and in an area destinated "No Flanned Service" on the Baltimore County Water and Seweraps Plans W-16s and d-16s, as memoded. ELISHORN N. DIVER, P.E. Chief, Bureau of Engineering cc: D. Grise S-SW Key Sheet 42 NW 20 Pos. Sheet NW 11 E Topo 68 Tax Map James 6, 1978 Mr. S. Eric DiMenna, Zoning Commissioner Office of Planning and Soning County Office Building Towson, Maryland 21204 Comments on Item # 130 Zoning Advisory Committee Meeting, December 27, 1977

Pebruary 8, 1978 Mr. S. Bric DiNenna Boning Commissioner County Office Building First Floor Towson, Maryland 21204 Item No. 130 - EAC - December 27, 1977
Property Owner: Gerald W. Berg
Location: SE/C Greenspring Valley Rd. & Old Valley Rd. Location: SE/C Greenspring Valley Rd. & Old Valley Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Rc.C. 2
Special Exception for a helistop (IDCA 77-61-X)
District. 3rd No traffic problems are anticipated by the requested Special Michael S. Manigan Traffic Engineer Associate MSF/hm

Location; Acres SEC 35 118

Nr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 The following are comments on Item # 150 , Zoning Advisory Consittee Meeting of Transfer Section 1 w Walter Die & 484 Walter Die Very truly yours. Thomas H. Davin, Director BUREAU OF ENVIRONMENTAL SERVICES

request, the referenced property has been surveyed by this comments below marked with an "x" are applicable and required or incorporated into the final plans for the property. Fire hydrants for the referenced property are required and shall be located at intervals or fort along an approved read in accordance with Battance County Standards as published by the Department of Public Vortes. () 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at __ EXCESSES the maximum allowed by the Fire Department. () is. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Notional Fire Protection Association Standard He. 101 "Life Safety Code", 1970 Builtion prior to occupancy. () 6. Site plans are approved as drawn. 7. The Fire Prevention Bureau has no comments, At this time. Hoted and Leonge Millergand Planning Group
Special Inspection Division Fire Prevention Bu



Property Owner: Gerald W. Berg Location: S/K/C Greenspring Valley Road & Old Valley Road Existing Zoning: R.C. 2 Proposed Zoning: Special Exception for a helistop (IDCA 77-61-X)

3.035 3rd District

(X) A. Any proposed structure shall conform to Baltimore County Building Code(BOCA) 1970 Edition and the 1971 Supplement and other applicable codes.

(X) B. A building permit shall be required before construction can begin.

C. Three sets of construction drawings will be required to file an application for a building permit. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

E. Wood frame walls are not permitted within 3'0" of a property line.

Contact Building Department if distance is between 3'0" and 6'0" of property line.

G. Requested setback variance conflicts with the Bultimore County Bullding Code. See Section _______.

Charles & Sumbon Charles E. Burnham Plans Review Chief CEB:rrj

BOARD OF EDUCATION • OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: December 28, 1977

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

· Z.A.C. Meeting of: December 27, 1977

RE: Item No: 130 Item No: 130
Proporty Owner: Gerald M. Berg
Location: SE/C Greenspring Valley Rd. & Old Valley Rd.
Present Zoning: R.C. 2
Proposed Zoning: Special Exception for a helistop (IDCA 77-61-X)

District: 3rd No. Acres: 3.035

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours, le Tit thank W. Nick Petrovich.

BATARD WILLIAMS, JR. TICE PRINCE MARCUS M. BOTTANI

KNP/br

----HAS. DRAINE F. CHIRCUS ROGER S. HATJEN ROSERT Y. DUBEL, ELFENNISHDER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric Di Nenna, Zoning Commissioner Date March 13, 1978 Leslie H. Groef, Director of Planning

Petition 78-193-X. Petition for Special Exception for a Helistop Southeast corner of Greenspring Valley Road and Old Valley Road

3rd District

Petitioner - Gerald W. Berg

HEARING: Tuesday, March 14, 1978 (10:00 A.M.)

It is the opinion of this office that the proposed use would be on inappropriate one for this area.

LHG- IGH-

Stevenson, Maryland 21153 May 24, 1978

HAND DELIVERED

den

Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Petit' of for Special Fetit: A for Special
Exception SE/corner of
Greenspring Valley Road
and Old Valley Road 3rd Election District
Gerald W. Berg - Petition
NO. 78-193-X (Item Mo. 130)

Gentlemen:

Order of the undersigned, wish to appeal from the Order of the Departy Joning Commissioner in the above-caption of the special exception is adverse to our the granting of the special exception is adverse to our percent of the special exception is adverse to our percent of the special exception is adverse to our percent welfare, safety and health. The masse and addresses of the appellants are listed as follows:

Harry Norman Baetjer, Jr. Jean Hook Baetjer 2217 Greenspring Valley Road Stevenson, Maryland 21153

Ernest Hilton Wright Charlotte Simpson Wright 2201 Greenspring Valley Road Stevenson, Maryland 21153

Clarence Eugene Elderkin, Jr. Holen Chittum Elderkin 2008 Greenspring Valley Road Stevenson, Maryland 21153

Also enclosed is a check in the amount of \$70.00, made payable to Baltimore County, Maryland, said check constituting the Fee for Appeal.



Sincerely, Harry Norman Bactler, Jo Jean Hook Baetje:

	onariotte simp	
	El F	47/1
	Clarence Eugen	r Elderkin, Jr.
	: MA (1. it.	and the same
	Helen Chittum	Slderkin
ce:	e: John M. Heasian, III, Esquire People's Counsel for Baltimore County Re. Montponery Lewis, Executive Director Valley's Flanning Council C. Mr. John Bookley, President The Stevenson-Brooklandville Improvement J. Jeraid J. Oppel, Esquire	
cc:	c: Mr. Montgomery Lewis, Executive Director Valley's Planning Council	
cc:	c: Mr. John Beckley, President The Stevenson-Brooklandville Improvement	Association In
cc:	c: Jerald J. Oppel, Esquire	
	•	3400 J. 1400
	No. of the second second	COLUMN CO
	•	
	County Bourh of Appeals	
	Room 219, Court House Towson, Maryland 21204	
	June 30, 1978	
	\checkmark	
2217	Mr. Harry N. Baetjer, Jr., et al 2217 Greenspring Valley Rd. Grevenson, Maryland 21153	
Stev		
	Res File No. 78-193-X Gerald W. Berg	
Dea	Dear Mr. Bastjer:	
		0/200
	2. How many of these witnesses will be "expert witnesses"?	
	 Fields to be covered by experts you intend to call - ple 	ase check:
	Land Planner	
	Real Estate	
	Engineer	
	Traffic	
	Other	
	4. Total time required (in hours) for presentation of your si	to of the case

Attorney for Petitioners ()

494-3180

Recd 7-18-78

Ernest Hilton Wright

1. Number of witnesses you anticipate calling 2. How many of these witnesses will be "expert witnesses"? 3 3. Fields to be covered by experts you intend to call - please check: Real Estate 4. Total time required (in hours) for presentation of your side of the case 2 hours Attorney for Petitioners () Reid strates apm TURNBULL MIX & FARMER JOHN GRASON TURE G. WARREN MIX JAMES R. PARMER JOHN W. NOWICKE CARROLL COUNTY OFFI STRO. MARYLAND EIGH Apri. 18, 1979 Walter A. Reiter, Jr., Chairman County Board of Appeals Room 218, Court House Towson, Maryland 21204 RE: Gerald W. Berg Case No. 78-193-X Dear Walter: that the above-captioned matter has been scheduled for Tune 6, 1979, at 10000 a.m. 'Mortunately, it is necessary that 10000 a.m. 'Mortunately, it is necessary that checked a postponement as I already have Circuit Court risal scheduled by the control of the court case is now of the publications as well as Circuit Court case is nowed County the day before which could very easily carry over until June 6, 1979. Therefore, I must respectfully request a postponement since this is the first date assigned. Since this is the first date assigned. Since this matter is approximately one year write Hr. Oppel to see whether or not the protestants are still willing to proceed with their Appeal and I will advise the Board accordingly. Very truly yours, TURNBULL, MIX & FARMER Allenamil GMM:sj cc: Jerald J. Oppel, Esq. People's Counsel O O granted by WAR

nter Bourk of Aspenie

m 219, Court House

Acre 30, 1978

OBER, GRIMES & SHRIVED WILLIAM A. GRINES (1904-1977) J. Nicholas Sources, Ja (1917-1977) ATTORNEYS AT LAW BALTIMORE, MARYLAND BIZOZ WASHINGTON, D. C. OFFICE 1728 K STREET, N. W. WASHINGTON, D. C. 20008 TELEPHONE (202) 858-4530 CARLE ADDRESS TRITLEY TELES 8-7776 Dear Mr. Reiter: JJ0:a11

July 10, 1978 COUNSEL FRANC B. Open Rogger W. Williams Mr. Walter A. Reiter, Jr., Chairman County Board of Appeals Room 219, Court House Towson, Maryland 21204 Re: Gerald W. Berg File No. 78-193-X Enclosed please find the questionnaire which you sent with your letter of June 30th, 1978. 1. Number of witnesses you anticipate calling _____ 7 or \$ 2. How many of these witnesses will be "expert witnesses"? 3. Fields to be covered by experts you intend to call - please check: Very truly yours. Land Planner erald 6. SMETY - Haucigner operations for entation of your side of the case 3 Mennin Attorney for Petitioners () Rec 276/18 14:300.

OBER, GRIMES & SHRIVER
ATTORNEYS AT LAW
1600 MARILAND NATIONAL BANK BUILDING
BALTIMORE, MARYLAND 21202 Witness A George 1909 1975 Tolone W Colone
Tolone W Colone
Tolone C Boden
Tolone
Tolon WASHINGTON D. C. OFFICE IAC CONNECTICUT AVENUE, N. W. MISHINGTON D. C. 20038 Tourness (202) 833-2266 ORLANDO, FLORIDA OFFICE 35 WEST PINE STREET O'LLANDO, FLORIDA 32801 Texample (200) 841 2512 CARLE BOTTOM

October 10, 1979

County Board of Appeals Room 219, Court House Towson, Maryland 21204

Attn: Ms. Muriel E. Buddemeier

Re: Case No. 78-193-X Gerald W. Berg - Application for Helistop

Gentlemen:

I received your notice of assignment and see that I am listed as counsel for protestants. This is to a see you that John W. Hessian, III, Esquire, People's Counsel, iil be representing the protestants.

Thank you very much for your cooperation in this

Very truly yours,

Jerald J. Oppel

JJO:all
cc: Valley's Planning Council, Inc.
Attn: Mrs. Judith Baor
cc: Mr. Harry N. Baetjer, Jr.
cc: Mr. Ernest H. Wright
cc: Mr. Clarence E. Elderkin, Jr.

BALTIMORE COUNTY
OUT 11 2 14 PM 775
COUNTY BOARD
OF APPEALS

494-3180

Soundy Wouth of Appends form 219, Court House Toman, Maryland 21204

April 20, 1979

NOTICE OF POSTPONEMENT

rd of Anneals

om 219, Court House man. Maryland 21204

Jane 30, 1970

CASE NO. 78-193-X GERALD W. BERG

for SE - Helistop

SF cor. Greenspring Valley & Old Valley Rds.

3rd District

The above case, scheduled for hearing on Wednesday, JUNE 6, 1979 at 10 a.m., HAS BEEN POSTPONED by the Board at the request of counsel for Petitioner (in court).

Counsel for Petitioner

cc: G. Warren Mix, Esq.

Mr. Gerald W. Berg

Petitione

Jerald J. Oppel, Esq. Counsel for Proteston

Mr. Harry N. Boetjer, Jr.

Mr. Ernest H. Wright

Mr. Clarence E. Elderkin, Jr.

John W. Hessian, III, Esq. People's Counse

Mr. J. E. Dyer Mr. S. E. DiNenna Mr. L. H. Graef Board of Education Mrs. Carol Beresh

Muriel F. Buddemeier County Board of Appeals 4/6/79 - Notified of appeal hearing scheduled for WEDNESDAY, JUNE 6, 1979 at 10 a.m.

G. Warren Mix, Esq. Mr. Gerald W. Berg Jerold J. Oppel, Esq. Mr. Montgomery Lewis Harry Norman Boetjer, Jr

4/20/79 - POST PORED AT Request of W.Mix, Esq

Mr. Ernest Hilton Wright Mr. Clarence Eugene Elderkin, Jr. John W. Hessian, III, Esq.

9/20/79 - Above notified of appeal hearing scheduled for THURSDAY, NOVEMBER 1, 1979 at 10 a.m.

11/1/79 - Above notified of CONT: NUED HEARING set for WEDNESDAY, DECEMBER 19, 1979 at 9 a.m.

for the purpose of having testimony from Mr. Elderkin and an expert on noise, if Mr. Hessian

4 ot 5 pictures which were in file when received from going meeting after Bd. Hering on " of fire meeting and " of fire These had more been extent as Shihita Mrs. My took theat, pro-

County Council of Baltimore County Maryland

Legislative Session 1968, Legislative Day No. 14

BILL NO. 122

ced by Mr. Bartenfelder, (5th), Councilman

(By request of the County Executive)

By the County Council, October 7, 1968.

A BILL Entitled

Entitled

AN ACT. To implement the pre-vision of Sections 201, 524, 535, 511 and 622 of the Baltimere County Charter as proposed to be anomanded or added by Bill No. 72, 1958, by the County Countil of American County Charter as proposed to the section of the County County of Section 201, 1958, 18 and 19

494-3190

County Hours of Appea

2217 Greenspring Valley Road Stevenson, Md. 21133

Re: Case No. 78-193-X Gerald W. Berg

Enclosed herewith is a capy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours.

Fnel

cc: Mr. Ernest Hilton Wright
Mr. Clarence Eugene Elderkin, Jr.
G. Warren Mix, Esquire
Mr. Gerald Vr. Berg
Mr. Montgomery Lewis
John W. Hessian, III, Esquire Mr. J. E. Dyer Mr. W. E. Hammond

(Page 2-Bill No. 122)

Code, 1955 (1966 Camolative Supplement), Title "Folice Bureau"; by repealing and re-enacting with amendments Section 29-12(a) and 29-12(b) of the Ballimore County Code, 1958 (1962 Camolative Supplement), Title "Four-re-marting with amendments Section 55-3 of the Baltimore County Code, 1958, Title "Administration," by repealing and re-enacting code, 1958, Title "Administration," by repealing and re-enacting with amendments Sections 41-4 (Group 3) and 41-351. of the Baltimore County Code, 1958 (196 Camolative Supplement), Title "Flower-receive"; by repealing and re-enacting with amendments Sections 41-4 (Group 3) and 41-351. of the Baltimore County Code, 1958 (196 Camolative Supplement), Title "Flower-received and by repealing and re-enacting with amendments Sections 45-16 of the Baltimore County Code, 1958 (1966 Camolative Supplement), Title "Flower-received Code, 1958 (1966 Camolat

SECTION 1. Be it exacted by the County Council of Baltimore County, Maryland. (five members thereof voting in the allimative) that Sections 18.5, 18-11, 18-12, 18-13, 18-14, 18-15, 18-16, 18-17, 18-

18.2. Obstruction of drivers' view at street interaction.
Whenever, the county hall be advised in writing by the chief of the county Folice Duranal Department or the Fenald Jurifle engineer of the county that any trees, bushes, wires, fences, signs or other of the county that any trees, bushes, when, fences, signs or other highways or streets in the county, or at an intersection of a slice treet or alle or one of the county, or at the county of the county, as they reach such interactions, they are hereby authorized and as they reach such interactions, they are hereby authorized and supposered to reach the county of the count

8/27 - CC ALLE WAR

TURNBULL MIX & FARMER TOWSON, MARYLAND SING-

August 26, 1980

Walter A. Reiter, Jr., Chairman County Board of Appeals Room 218, Court House owson, Maryland 21204

RE: Gerald W. Berg Petition for Special Exception Case No. 78-193-X

Dear Mr. Reiter.

of the Board's opinion in the above-captioned matter, You will recall that this case was beard before the Board on November 1, 1979, and was continued until December 19, 1979 to allow an additional witness to be a second on the second of the second on the second of th

Thank you for your cooperation.

GWM/tsb

Very truly yours, TURNBULL, MIX & FARMER FARMER COUNTY BOARD G. Warren Mix

BALTIMORE COUNTY, MARYLAND

Wolter A, Belter, Jr., Chairman
Beltimore County Board of Appeals
John W. Hesslen, III
People's Counsel for Beltimore County
Gerald W. Berg - Zoning Case No. 78-193-X Date January 3, 1980

Petitioner seeks authority to maintain a "helistop" (BCZR 101:7). The fans require that the operation be authorized by the Director of Public Safety.

The position of Director of Public Safety was a charter office at the time of legislative creation of "halistops," As above defined, in 1967, the position was minorated by charter amendment approved by the voters in 1968 (Bill No. 72, 1968).

Parkags If the duties previously performed by the Director of Public Safety had in some feshion been permitted simply to lopse, our concern here might very well be diminished, if not eliminated, but that is not what happened.

A photosist of Bill No. 122, 1948, is other. Vou will note that there are 31 pages of legislative activity personaling are among the Department of Trollic Engineering, the Polico Department, the Firs Department, and its Courty Administrative Officer, duties and functions of the Director of Abilic Safety. We fill due to present of the pressiving duty and repositibility to approve "Hailstope" in 18th and 18

If the failure to include a transfer of the duty to some other officer within the 31 in the culture to include a transfer or the cuty to some other officer within the 31 pages of other fransfers was an oversight, only the legislative entity itself – the County Council – can correct it. Certainly the County Board of Appeals can't assume that it can legislate as a favor or courtesy to the County Council.

The point that we are making is, therefore:

1. The "heliport" requires authorization by the Director of Public Safety. N. 3 12 IO PH COUNTY BOARD 2. The Director of Public Safety no longer exists,

3. The County Council has not reassigned his duties to another officer.

Until this legislative deficiency is corrected by the legislative entity itself, you cannot have a heliport.

cc: G. Warren Mix, Esquire

June

(Page 3-Bill No. 122)

18-11. Accident reports.

The Police Bureau] Department shall, upon application by any person and the payment of a fee of one deltar furnish to such applicant a certified copy of the Bureau's] department's record of any accident in which a motor vehicle is in any manner involved.

Article II. Director of Traffic Engineering.

13-12.1. Department of Traffic Engineering.

33-121. Department of Traffic Engineering.
A new Dursauf Jepartment is hareby created Frithin the
department of public satety which shall hereafter be designated
and lowers as the Dorward Department of Traffic Engineering, the
Dousty. The print which shall be the traffic engineer of Builtiness
County. The print which shall be the traffic engineer of Builtiness
entity and engineering. The traffic engineer repossible for traffic
shall be responsible directly to the Efficiency of public satety
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shall be responsible directly to the Efficiency of prefer much
small production reliable of the shall be seen the date and spectrum gas
shall be seen to the shall be a state of the county of the shall be
seen of perform such other duties and functions as may from time
the sate of the shall be seen to the county of administrative
efficiency by gentlation seen of the county of administrative
efficiency by gentlation seed on the County Council.

18-13. Authority to make rules and regulations.

In order to provide for the agic and expeditions movement of traffic in the county, and to protect the safety of the citizens using the provide for the protect the safety of the citizens using the private rect, alleys and highways in the county, either public or private rect, alley and highways in the county, either public or private rect, alley and highways in the county, either public bareby granted full power and authority to do any and all of the following:

Conduct engineering and analyses of traffic accidents and gineering investigations of traffic conditions.

(2) Establish and determine the design, timing, type, size and location of any and all signs, signals, markings, pylons, channels and other devices for guiding, directing or larvise regulating and controlling vehicular and pedestrian tradit.

(3) Designate any intersections as "Stop" inter-rough highways.

(4) Approve or disapprove the location of bus stops and taxicab stands or reach d or modify any prior approval heretofore given. (5) Adopt and promulgate rules, regulations, orders and directives relating to, or 'u connection with the movement of vehicular and pedestrian traffic in the county.

and preserrian traine in us county.

(6) Masse recommendations to the county executive for the improvement of traffic conditions in the county [which cannot be accomplished by the directives, order, rules or regulations promulgated by the director of public safety].

(Page 4-Bill No. 122)

(7) To prohibit parking on any portion or portions of any public highway within one hundred fifty feet of its intersection with any other public highway or railroad right of way.

(8) To prohibit parking and designate one-way streets in the event of emergencies for a period not to exceed forty-five days. (9) To pass and adopt reasonable rules and regulations governing parking, traffic and the movement of vahicles in the vicinity of any fair, game, parade or other public event where a large gathering of people or vahicles is anticipated.

Provided, however, that the Director of Dubble asfevy] Trugfe-Espissoring shall not have the power to adopt "of promulgate rules, requisition, orders or directives in the nature of general permanent parking restrictions or to establish permanent one-way streets; the power to make perenal permanent parking restrictions and to estab-lish permanent one-way streets is hereby specifically reserved to the County Council.

18-14. Records of rules and recolation

The Director of [public safety] Trafic Engineering shall keep a record of all rules, regulations, orders and directives issued by him, which records shall be open t public inspection at all reasonable

18-15. Employment of personnel

19-16. Employment of personnel.
(1) With the approval of the county administrative officer, the Director of [public safety] Traffic Engineering may emplow such assistants, sides and employees as may be desemed necessary for the proper performance of the duties and functions imposed by article, within the available appropriation or allotment therefor.

(2) With the approval of the county executive, the Director of Dublic safety] Traffic Engineering may employ or hirs, from time to time, by contract consulting, planning or designing engineers or other persons possessing technical or specialized skills in connection with the duties, powers and functions imposed upon the Director of Dublic safety] Traffic Engineering by this article, provided that the safety Traffic Engineering by this article, provided that the safety of the contract of th

18-16. Traffic-control devices erected by director—Interfering, etc., with devices.

etc., with devices.

It shall be undervil for any person, without leaving authority, to wilfully delice, injure, more or interfere with any sign, ctanders, but, activy some consuption, tower, activates signale or any other companies. The consumption of the consumption of the consumption of public antivity J. regific Engineering, or any directions, like or marin painted by the authority of the Director of Dublic antivity J. regific Engineering on any payments, curb or readway for the purpose of richeting traffic or partials; validies.

(Page 5-Rill No. 199)

18-17. Same Failure, refusal, etc., to comply with devices.

It shall be unlawful for any person to fall, neglect or refuse to comply with any instructions or direction on any post, standard, sign or other device serected by the authority of the Director of Bubblic analety) Traffe Engineering for the regulation of traffic or parking on public highways.

18-18. Unlawful to violate rules, etc., of director.

2000 2000 2000

It shall be unlawful for any person to violate any rule, regula-tion, order or directive premulgated by the Director of [public antety] Traffic Engineering, as hereinbefore provided.

18-20.1. Parking unlicensed vehicle, abandoned vehicle, impounding, sale.

18-20.1. Parting uniformed which, shandowed which, in18 shall be universal for any persons to park an uniformed which, or a while to universal for any persons to park an uniformed which or a while to universal for any or any public road, highway, street, sevens or allow in the county. The Edirectory Chief of Embits read to the county of the county. The Edirectory Chief of Embits was not county equipment or by centract entered into personal any such wholes as parked or shandown in violation of this section, by means of county equipment or by centract entered into personal any such wholes as parked or shandown in violation of this section, by means of county equipment or by centract entered into personal applicable, and to may cause and wheele to be contract. If of storing the same must be paid by the course before such, which may be reconseased by him and such charge shall be in addition that the course fails to reposess such which with the third that the process of and the same, and the balance of and the court of the payment of all lists on the same, and the balance of and process shall be paid to the owner fails to claim and balance when the payment of all lists on the same, and the balance of and process shall be paid to the owner fails to claim and balance within and period of time, it had be fortified and paid into the county treasury.

18-20. Removal of moder whiches from streets; impounding

18-29. Removal of motor vehicles from streets; impounding.

18-22. Removal of motor ventices irom stress; imponings, (a) in order to provide for a more effective neufroncess of the traffic laws and regulations and to expedite the flow of traffic, the [Director] Claff of [Dublic sately] Police is havely substrated to take possession of and remove any motor vehicle parked upon any bolerard or through street in Saltimore County during the hours and the property of the p

(Page 9-Bill No. 122)

and control thereat to the Diversety Chief of Epoblic satery, Police, within twenty-four hours after sociring said while, the diversity of the control of the while, which is the control of the control of the while, and cover, which complies with the senior gregalization of Baltimore and covers of the whick of the diversed into the custody and control of the contro

18-44. Violations
Any person who shall violate any of the provincina of this subheading shall be subject to a penalty of one bundred coline, foreach offens, recoverable with casts. In addition, the [Director]
can suppend the license of any beat that have the power to revoke
or suspend the license of any person the provincines of the sub-heading
colines who shall violate any of the provincines of the sub-heading
of the color of regulations promulgated pursuant thereto are who shall
all to one or regulations promulgated pursuant the risk sub-heading. Any stories
are requisited pursuant to this sub-heading. Any stories
are requisited pursuant to this sub-heading, and such parts
license has been revoked or assupended by the [Director] Chief of
them days thereafter for a based sub-heading. Any angular within
Board of Appeals, and such Board is hereby vetted with jurisdiction
between the proposed of azonies into the facts of the case and to
public antity] Police was justified
by the [Director] Chief of
[18-63, Payling Meter Zomes.]

18-48. Parking Meter Zones.
Sobject to Section 18-52, the Department of [Public Safety]
Traffic Septemeries with the approval of the County Administrative
County, it berely subtorized, by regulation, to relability and from
the septicised parking meter districts when him meter zones within
the specified parking meter districts when him meter zones within
shape of county of the county of the county of the county
and the county of the county of the county of the county
and the county of the county of the county of the county
and the parking of each zone is necessary to add in regulating the movement and parking of whiches.

18-49. Periods and rates.

The Department of [public safety] Traffic Engineering, with the approval of the County Administrative Officer, is hereby au-thorized, by regulation, to establish and, from time to time, change

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(b) The [Director] Chief of [public safety] Police shall not take possession of and remore say motor which unless the Director of The Engineering shall have sological a regulation desiring such control of the Chief of the Chief of the Chief of the provisions of this Section and unless the Director of The Chief of the Police of the cased such observator of through street to be prominently posted with mutable signs clearly indicating to the public that valicies illegally probabilities and in outdoor to be seized and impromoded. Pro-posed thereous shall be subject to be seized and impromoded. Pro-tonous values that the provisions of this Section shall not apply to noter values and in conscious with any function of weeking service.

(c) For the purpose of performing the duties imposed by this Section, the [Director] (Abel of [Dublic safety] Police is authorized to produced. For our vehicle by mean of county sequiposes or by contract. He property or upon private property by suitable contract. Provided, however, that any contract for the removal or starge of provisions of the purchasing set of Bullioner County.

(d) To defray the cost of removing or towing any such vehicle and of storing the same, the [Director] Chief of [Dublic sately]. Police is authorized to adopt and from time to time semend a schedule of reasonable charges to be paid by the owner of any impounded or the seminary of the contract of such charges also be delivered to him. Provided, however, that such charges also less than the contract of the contract of imposed for the violation of any trails has or regulation.

18-29.2. Disabled veterans, special parking permits.

18-29. Disabled veterans, special parking permits.

Disabled veterans who have been granted automobiles under-federal law, and paraphagic and leg or foot ampoties veterans who (a) have been certified as such by the Veterans Administration and have been certified as such by the Veterans Administration as foot into the case where parking is permitted for all the particular than the parking permit and particular than the particular particu

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the lawful parking time period, hours and days "operation and rate for any parking meter zone, provided that the legend attached to each parking meter is altered to reflect any such change, and provided further that the rate for parking shall not be more than five entar per one-hour, and that may be a such a per one-half hour nor less than five centar per one-hour, and that could be consecutive hours.

18-50. Parking Meter spaces.

116-30. Parking beter spaces.

The Department of Tpoblic safety] Traffic Engineering, with the Department of Tpoblic safety] Traffic Engineering, with the parking of the County Administrative Officer, shall designate the parking super the results as of the parking super the results and set of the parking super the results and with the parking super the results and with motion spaces so designated shall be of appropriate length and width motion spaces as the parking super spaces as the spaces as the parking super spaces are parking super spaces as the parking super spaces as the parking super spaces are parking super spaces. The parking super spaces are parking super spaces as the parking super spaces are parking super spaces as the parking super spaces are parking super spaces. The parking super spaces are parking super spaces are parking spaces as the parking super spaces are parking spaces.

18-51. Parking Meters.

16-51. Parking Meters.
(a) The Department of Jubile safety] Traffic Engineering,
(a) the Department of Jubile safety] Traffic Engineering,
(b) The superval of the County Administrative Officer, shall install parking the parking meters raises upon the cure in funedable states of the supervalent of the safety adjected. The supervalent countries with a supervalent countries of the supervalent countries of the supervalent countries of the supervalent countries of the supervalent countries.
(c) a supervalent countries of the supervalent countries of the supervalent countries of the supervalent countries.

SECTION 2. And be it further enacted, That Sections 19.3(b), 19-3(c), 19-3(c), 19-16, 19-11, 19-15.1(a), 19-15.2, 19-15.4 and 19-15.5 of the Ballimore County Oct., 1986 (1966 Cumulative Supplement) Title "Offenses—Miscellaneous" be and they are hereby repealed and remarked with mendments to read as follows:

19-3. Firearms—Discharging within metropolitan district.

19-5. FIRSTIBS—INCREATED WITHOUT INTERCEPT AND THE COUNTY (b) The Police [Sureau] Department shall post in the county courtbouse and also in every police station and substation throughout the county, accurate many assignating the locations of the bendury lines of the metropolitan district as set up pursuant to the prevailes of Sections 32-6 and 32-7 of this Code.

provisions of Sections 22-6 and 32-7 of this Code.

(S) Nothing in this section shall be baid to apply for or prohibit, the discharge or firing of any such firearms on permanently located, promptly posted and loom fast target ranges, so location of which has strong to the firing or discharging of any such firearms of the same risk of the firing or discharging of any such firearms of the same risk of the defines, of life or property; nor to the discharging or firing of the defines, of life or property; nor the discharging or firing of the defined of forements on a military occasion when the same is done under the orders of an officer in command thereof, nor prohibit the

(Page 7-Bill No. 122)

Paraphagic and lag or foot ampoise employees of Baltimore County shall enjoy the same special parallel privilege as is been a grant privilege as in bresis and enter the same special parallel privilege as the series of this section shall be used only by the persons attacking the same statement of the section shall be used only the properties are insued. Any person violating the provisions of this excellent properties are insued. Any person violating the provisions of this collars, and in an about to a pensity of not less than twenty-development.

18-29.3. County owned parking lots, regulations.

19-23. County-owned parking lots, regulations.

18 shall be unlevel for any person to park a valide at any time.

18 shall be unlevel for the present to park a valide at any time of the parking for the park

18-33. Licenses.

18-33. Licenses.

(b) Applications shall be made on forms to be furnished by the Director? Chief of Deablic safety? Polect. The applicant shall perform the colours when the application is made, which we still the colours when the application is made, which we initial scanned by the Department of Fermins and Licenses to cover initial scanned by the further sum colours and if the application is approved, shall pay the further sum of the colours of the these correct year, and thereafter shall my seed to the colour of the colours. A certified copy of the colours of a few of modeller such copies may be obtained on payment of a few of one olders such

18-35. Charges.

(a) Every person engaged in towing disabled vehicles shall at the time of his application for a license, file with the [Director] Chief of [public safety] Polices a catecular setting forth his charges for towing and for any services incident to towing.

for towing and for any services incident to towing.

(b) Such charges may be measured by rulleage, time and type of services and stated chearly on the application for a towing leaves filed by the person engaged in the towing business; and the CDIrectory Chef of Dublic Lie changed without the filing with the CDIrectory Chef of Dublic Lie changed without the filing with the CDIrectory Chef of Dublic Lie changed without the filing with the charged Theories and the CDIrectory Chef of Dublic Lie charged and the CDIrectory Chef

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den

the towing business, with suitable notification of his reasons for re-18-87. [Director of Traffic Engineering] Chief of Police.

18-27. Director of Trails Engineering Chief of Police.

The Director of Trails Engineering Chief of Police aftery Police of Bultimore County shall retain Quiet of Dublic aftery Police of Bultimore County shall retain Quiet of the Chief of

18-39. Rules and regulations.

The [Director] Chief of [public safety] Police shall have the power to make and enforce any and all reasonable regulations to effectuate the purposes of this subheading.

18-42. Surety bonds.

Every person who shall be licensed in the towing business, under the previous of the substanting, shall be required to fits with the [Director] Cléaf of [Debuting, shall be required to fits county, a boad in the amount of five thousand delians to save harmless the owner of any automobile or any property damage occurring thereto, during the time that it shall be in the possession of the

18-43. Delivery of vehicle.

A towing company acquiring custody and control of a vehicle, pursuant to the provisions of this subheading, shall deliver custody

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discharging of a shot gun by a licensed hunter, properly hunting in season, provided such shot gun contains no heavier than No. 2 shot.

19.5.3. Kenher Pools.

(1) For proper enforcement of the provisions of this section, there is brevely a conformation of the provisions of this section, there is brevely a product of the following the provision of the following the provisions of the following the provisions of the following the provisions of the following the product of the following the product of the following the following the product of the following the product of the following the followi

18-10. Parades, permit required.

It shall be undervide for any organization or persons to parade through the highways of Ball-more County withor: that saving the highways of Ball-more County withor: that caving obtained a permit shall be find at least seven permit shall be find at least seven any organization for good of the proposed parade good forms to be supplied by the Glad of any proposed parade good forms to be supplied by the Glad of any proposed parade good forms to be supplied by the kighway through wither, and the but our within which the person is to pass and such other information as he may read the person of the county of th

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three days prior to the date on which it is desired to hold any such parade, whichever worst shall be court. All such permits shall be issued free of any charge. Any raccount, and such permits shall be issued free of any charge. Any rac court and the shall be shall be result as ano been issued shall be guilty of a miss emeasure and upon conviction thereof, shall be subject to a fine not exceeding twenty-free dollars.

19-11. Wearing fire or police department uniforms, insignia.

19-11. Wearing five or police department uniforms, insignia.
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Director of public sativity Chief of the Respective Five or Folice
Enterto of the Control of the Control of the Respective Five or Folice
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Enterto of the Police Entered Department or Five Entered
Department of Baltimore County or represent hisself to be a
folicy of the Control of the Respective Five Control
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19-15.1. Same, permit required.

(a) No person shall engage in business as a carvasser or solicitor by calling at residences without the previous consent of the occupant for the purpose of soliciting douations without first obtaining a permit from the Department of Permits and Licenses authorizing such solicitation, which permit shall not be issued without first being approved by the [director of public safety] Chief of Police of Baltimere County.

19-15.2. Exemptions.

The province of Section 19-15.1 shall not apply to any estab-lishes to repain the description of the section of the section of the charitage of the section of the section of the section of the person, nor shall the provisions of Section 18-15.1 apply to those religious or charitable organizations already approved by the Balti-more County Police [Eurscay Department.

19-15.4. Investigation.

The Director of Public Safety] Chief of Police shall examine all applications filed hereunder, and shall make such further investi-gation of the application and applicants as he shall deem necessary in order to determine whether or not the statements made in the application are true and whether or not the solicitation requested

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19-15.5. Granting or Denying Permit.

A permit shall be approved by the [Director of Public Safety] Chief of Police unless he shall find that there exists any of the following grounds for denial:

(a) A permit shall be denied if any of the statements made

(b) A permit shall be denied unless the [director] chief shall find that each of the following conditions exists:

(1) That all the statements made in the application are true. (1) Inst air the satestherous made in the application are true.
(2) That the applicant has a good character and reputation for honesty and integrity, or, if the applicant is not an individual, that every principal member, officer or agent of the applicant has a good character or reputation for honesty and integrity.

(3) That the applicant is not engaged in any fraudulent

(4) That the solicitation will not be a fraud on the public. (5) That the solicitation will not be conducted primarily for rivate profit.

(6) That the character and method of the solicitation and its duration are such that it will not be inimical to the safety, convenience or welfare of the general public.

SECTION 3. And be if further enacted, That Sections 21-6, 21-8, 21-8, 21-10, 21-10, 21-12, 21-12, 21-13, 21-14, 21-16, 21-16, 21-17, 21-18, 21-19, 21-20 and 21-21, of the Baltimore County Code, 1958, as amended, Title "Pensions and Retirement" be and they are hereby repealed and reenacted with amendments to read as follows:

Article II. Fire Department Generally.

21-6. Trustees of special fund.

214. Trustees of special fund.

The County Administrative Officer, the [Director of Public Safety] Fore Chief and the Director of Finance, shall be the trustees the Chief and the Director of Finance, shall be the trustees of Finance of the Chief and the Chief and the Safety of Finance of the Chief and the Safety of Finance of the Safety of the Chief and the Safety of Finance of the Safety of S

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3. All moneys, pay, compensation or salary or any part thereof forfeited, deducted or withheld from any member or members of the Police Foursary Department on account of absence for any cause, lost time, sickness or other disability, physical or moral.

- As sum of money not greater than four per centum of the semi-monthly pay, salary or compensation of each member of the Police Furnear) Department entitled to participate in the special fund, which sum shall be deducted every pay day from the pay, salary or compensation of each and every member of the Police Furnear) Department by the Director of Fin.nce who shall deposit the same to the credit of said special fund.

the same to the credit of said special fund.

5. In case the amount derived from the different sources mentioned in this section and from the special fund shall not be surficient to enable the county at any time to pay in full the salaries or pentioned to the said of the county of the said of

The finance director shall keep such special fund separate under the name of the Policemen's Special Fund of Baltimore County.

21-16.1. Disability Retirement Benefits.

21.14. Disability Retirement Benefits.

Lyon the supplies and permanent member of the Point Durand Description of permanent member and of redination of the point of the point

21-17. Retirement for permanent disability or twenty years of

The Director of Personnel is hereby authorized to retire from the office in the Police [bureau] Department, any permanent member

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21-8. Sources of special fund; method of making up deficiencies; title of special fund.

The special fund shall consist of :

All fines and forfeitures imposed by the county upon any mber or members of the Fire [bureau] Department.

networr or hemorra or use rive poursus acceptances.

(a) All rewards, gifts, testimonials and emoluments that may be presented, paid or given to any member of the Fire [Durangle Peperfrested on account of service except use has the county council as the members to retain and also all gifts or benefits which may be made to the special fund or to the county.

or mase to the special unit or so the county.

(3) All moneys, hald, compensation, or salary or any part thereof forfeited, deducted or withheld from any member or members of the Fire [fureasu] Department on account of absence for any cause, lost time, sickness or other disability, physical or most

(4) A sum of mosey not greater than four per centum of the semimorthly pay, salary or compensation of each memorial Pire [Durwar] Department entitled to participate in the special fund, which sum shall be deducted every pay day from the pay, [Durward] Department entitled to participate more pay, the salar to the credit of the pay of the pa

one ame to the credit of special fund.

(5) In case the amount derived from the different sources mentioned in this section and from the special fund shall not be much as the country at any time to pay in full the salaries represented by the salaries shall as the salaries shall as the salaries shall as all times be a first charge on such fund, the country as the salaries shall as all times be a first charge on such fund, the country as the salaries shall salaries shall be salaries that the salaries shall be salaries to the salaries that the salaries shall be salaries to the salaries that the salaries shall be salaries to the salaries that the salaries shall be salaries to the salaries that the salaries shall be salaries sh

The Director of Finance shall keep such special fund separate under the name of the Firemen's Special Fund of Baltimore County,

21-8.1. Disability Retirement Benefits. 21.4. Disability Retirement Benefits.

Uper application of a permanent member of the Fire Forward Department who has had five or more years of creditable service, such annoher may be retired by the trustees of the Firement Special allowance; provided that type on an ordinary disability retirement allowance; provided that type on the properties of such member had been active and the properties of the state of the properties of the present of the properties of the present of the properties of the present of

(Page 18-Bill No. 122)

(Fage 18—full No. 122)
thereof, including the thefi of the satistant or deputy chief of Police, who has become permanently disabled while in the active performance of the property of the property of the performance of the

21-18. Refund of money paid into the special fund.

21-18. Refund of money paid into the special Yand.

Any person who has been an olificer or employe of the Police
Darward Department for more than ten years, and who has consoftered the special found and who for any reason cases to be such
notifier other special found and who for four years on the conmoney equal to that paid into the fend by such efficer or employe
during the time be served as such. This section shall apply to any
person only counted to be an officer or employee of
the Police
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21-13. Authority to pension special police officers.

21-2. Authority to pension special police officers.
The county is herely authoritied and empowered, in their discrete the county of the county

21-20. Authority to increase amount of pensions

The county is hereby suthorized to increase the persions of retired policemen in order that a retired policeman shall at all times receive a sum equal to one-half of the salary of an active member of the Police [burraw] Department of the same rank the pensioner held at the time of ins retirement.

 Authority to pension widows and infant children of policemen killed in line of duty. The county is hereby authorized to make such provision for assigning the widow and infart children of policemen who have

(Page 15-Bill No. 122)

.

which shall be made on the following basis: For any met-permanent member who has been an employee of the Fire Danwad for more than the bulk so than the year, the ordinary disability been four than the bulk so than the year, the ordinary disability been the state received as such employee preced of the annual nature member who has been an employee for more that the years, and the state of above ten years of an order with a fire percent chall be added for each year above ten years of an order with a fire percent chall as

21-9. Amount of benefits for retired members.

22-9. Amount of benefits for retired members.

The Director of Personnel is berefy undortised to retire from office in the Fire Borneagl Department subserment members of the fire for the person of t

Authority to pension widows and infant children of fire-men killed in line of duty.

men killed in line of duty.

The county is hereby suthorized to make such provisions for pensioning the widow and infant children of firemen who have been killed in the active discharge of their duties as members of the Fire Dureau] Department as in the judgment of the county shall be just and propsy is that in the county shall be just and propsy.

21-12. Retirement benefits for twenty years of service.

21:2. Retirement hemeifs for twenty years of service.

Any permanent member of the Five Durward Department including the chief engineer, who shall perform faithful service in the
Durward Jedpartment for a period on the satu that very years, may,
the property of the chief of t

(Page 16-Bill No. 122)

21-12.1. Payments to 10 year employees.

21-22. Psyments to 10 year employees.

Any person who has been an effect or employee of the FreDearman 20 Psymentees of Baittoner County (Fremer's Rowen as the
Dearman of Baittoner County (Fremer's Rowen as the
Dearman of Baittoner County (Fremer's Rowen as the
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reason cases to be broad to the special fund, and who for any
reason cases to be broad to the special fund, and who for any
reason cases to be broad to the special fund of th

21-18. Authority to increase pensions.

The county is hereby authorized to increase the pensions of retired firemen in order that a retired firemen shall at all times receive a sum equal to one-half of the raisry of an active member of the Fire Duracy] Department of the same rank the pensioner held at the time of his retirement.

Article III. Police [Bureau] Department Generally.

21-14. Trustees and treasurer of special fund; powers.

21-14. Trustees and trassurer of special fund; powers.

The County Administrative Officer, the Director of public sativity Chief of Police and the Director of Planese shall be the control of the State of the Chief of the Chief of State of Ballimore of people of the Ballimore of the State of State of State of State of the Chief o

21-16. Sources of special fund; appropriations for deficiencies; official title of fund.

The special fund shall consist of:

All fines and forfeitures imposed by the county upon any imber or members of the Police [bureau] Department;

2. All rearrad, gifts, testimenils and entolments that may be presented, paid or given, to any member of the Police Durasul Department on account of service sexpet used as the country allows the members to retain and also all gifts or benefits which may be made to the special found or to the country.

(Page 19-Bill No. 122)

been killed in the active discharge of their duty as members of the Police [bureau] Department as in the judgment of the county shall

22-3.2. Police and Fire [Bureaus] Departments—Special Rules and Regulations.

Special Regulation 1.02. Employees of the Police and Fire Europeans Departments as set forth in 1.01 shall mean only those employees of the Department of Public Safety] and departments who shall take an oath of office administered by the Clerk of the Circuit Court for Baltimore County.

Greut Court for Baltimore County.

Special Respitation 1.0. The words 'print Board when used in these Bules shall refer to the Board convened by the Directors and Directors and Specifications fleet against any employee of the Pelles or First and Specifications fleet against any employee of the Pelles or First County of the Pelles or First and Specifications fleet against any employee of the Pelles or First of Pelles States (1994) and the Pelles of Pelles or First of Pelles States (1994) and the Pelles of Pelles or First of Pelles States (1994) and the Pelles of Pelles or First of Pelles States (1994) and the Pelles of Pelles or First of Pelles States (1994) and an Amelier of the Personal and Salary or the first Elevanus Department and a member of the Personal Advisory Board. The order to be selected by the Personal and Salary Advisory Board. The Pelles of Pelles (1994) and the Personal Advisory Board. The Pelles of Pelles (1994) and the Personal Advisory Board. The Pelles of Pelles (1994) and the Pelles (1994) and the

Ex Omcion member of the Royal and shall have no vote.

Special Reputation 1.04. Summary Superation where used in
these rules shall mean a superation of an employee, placed in effect
unmediately due to the nature of the situation reacting the suspention of the state of the situation reacting the suspention of the state of the situation reaction of either the
Police or Fire [Insectal] Department of the state of the situation reaction which is
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Special Regulation 1.05. A Ranking Command Officer when used in these rules shall mean a Lieutenant or higher in the Police [Bureau] Department or a Battalion Chief or higher in the Fire [Bureau] Department.

Special Regulation 1.06. Administrative Suspension when used in these rules shall mean a suspension of an employee, pieced in effect only by the Chief of the Police [Bursau] Department or the Chief of the Fire [Bursau] Department and predicated upon fact or facts involving an infraction of order, regulation or directive, or a breach of discipline coming to his attention subsequent to commission of the infraction.

Special Regulation 1.07. Order, Regulation and Directive when used in these rules shall mean any Order, Regulation or Directive issued verbally or in writing to members of the Police or Fire [Bureau] by the Chief of the [Bureau] Department.

Special Regulation 2.01. Public announcement of proposed tests and acceptance of applications for employment in the Fire and Police [Bureaug.] Objectivenest and in posted on a builetin board easily accessible to the general public in the Office of Personnel.

Special Regulation 2.02. Announcement of an opening or open-ings in the Fire and Police [Bureaus] Departments shall be posted on the Office of Personnel bulletin boar; for at least five working days prior to the holding of the entrance examination administered by the Office of Personnel.

by the Office or Personne.

Special Regulation 200. All appointments made to the Fire and Police [Burnaus] Departments [of the Department of Philic Safety, and I was a support of the Police [Burnaus] Department and all specialists for employees the Police [Burnaus] Department must not be less than been supported by the Police [Burnaus] Department must not be less than been supported by the Police [Burnaus] Department of the Safety Burnaus of the Safety Burna

Specia Regulation 2.04. All applicants for employment in the Police and Fire [Bureaux] Departments must pass a physical examinist before a physical or explaint before a physical or explaint before a physical or explaint appointed by the Director by the Administrative Officer. The applicant must be certified to the contractive of the c

Special Regulation 2.05. All applicants for appointment to the Police and Fire [Bureaus] Departments shall be proven by investigation to be of good reputation, character and morals.

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Special Regulation 2.06. Applicants for employment in the Police and Fire [Bureaus] Departments must pass an entrance examination administered by the Office of Personnel and make a minimum passing grade to be established by this of Fernonel and the Director of Public Sately (164st of the respective of Personnel and the Director of Public Sately (164st of the respective of Personnel and the Director of Public Sately (164st of the respective of Personnel and the Director of Public Sately (164st of the respective of Personnel and the Director of Public Sately (164st of the respective of Personnel and Personnel (164st of the Personnel of Public Sately (164st of the Personnel of the Public Sately (164st of the Personnel of Public Sately (164st of the Personnel of Public Sately (164st of the Personnel of the Personnel of Public Sately (164st of the Personnel of Public Sately (164st of the Personnel of the Personnel of Public Sately (164st of the Personnel of the Personnel

tire department.

Special Reputation 2.07. The Director of Personnel shall prepare
on slights list of applicants who have successfully completed as written examination and the required investigation as to reputation, character and morals. The general average ruling the slights list, to order of relational to the product of the slights list, the order of relational to a product as a number of the Police or Fire Director 2000 products and product of the product polytican or physicians as being casuable of meeting the physician needless and meetal requirements established by the administrative Other for the Director of Public Solids.

Officer For the Director of Public Satevy3.
Special Repulsation 2.88. Last of eligible applicants for employment in the Folice (Barreal) Department and Experiment Seater of Propertment of Propertment of Propertment Seater of S

preceding list to allow compilation of a new eligibility list.

Fig. 2014 Regulation 2.10. When varancies occur in the Police or
Fig. 2014 Regulation 2.10. The Director of Personnel shall, upon
her request of the Director of Policies Sactly 2016 of the suspection
department, certify from the eligible list [to the Director of Police
department, certify from the eligible list [to the Director of Police
Sactly 3 list of mane equal to the number of policies in numerical
standing according to the guerral average rating scores.

standing according to the general average rating scores. Special Regulation 2.11. The probationary period for all appointees to the Police and Fire [Burcaus] Departments shall be for a period of one year from the date of appointment except for patrol-man which shall be for a period of itso perse from the date of appointment when the probability of the period of itso perse from the date of appointment when the probability of the period of itso perse from the date of appointment when the probability of the period of itso perse from the date of appointment when the probability of the period of the pe

special Regulation 2.12. Patrolmen and firemen may be removed at any time during the probationary period by the Chief of the re-spective [Euroay] Department [with the approval of the Director of Public Safety], and will not be afforded an opportunity of hearing before the Trial Board.

before the Trial Board.

Special Regulation 4.01. Employees of the Fire and Police Foreign Departments should be appraised at least once a year by Four-sung Departments superiors, and the results of such appraisals should be discussed with the employees being appraised. The purpose of these appraisals is to encourage employee growth and development.

(Page 25-Bill No. 122) tional requirements prescribed from time to time by the [Director of Public Safety] department chief and the Director of Personnel. Special Regulation 7.03. Written promotional examinations for the Police or Fire [Bureau] Department shall be conducted by the Office of Personnel. Such promotional examinations must be given in a manner to code the identity of each employee taking such examina manner to code the identity of each employee taking such examinations.

Sweld Regulation 7.04. The identification of the scores of all such witten examinations shall be done in the presence of no least than three of heldowing: a member of the Presence for the three declowing: a member of the Presence of the Presence and the Company of the Presence and Salary Administrative Officer and a member of the Presence and Salary Administrative Officer and a member of the Presence and Salary Administrative Officer and a member of the Presence and Salary Administrative Officer shall appoint a person to act as substitute.

traitive Officer shall appoint a person to act as a sentime.

Special Regulation 7.05. Emphyses taking memoriation fitness tests shall be required to the level and the procession of the tests shall be required to that be established by the Director of Personnel and the Director of Public Safetyl apportment citely before their creditive bits becausifierd. Ventured by an emphyses, he shall in the witness of the considered victoriated by an emphyse, he shall in the victoriated by an emphyse, he shall not be considered to the component parts of the prenorional fitness tests and any bother component parts of the prenorional fitness tests and any beautiful to the component parts of the prenorional fitness tests and any beautiful parts of the proposition of the proposition of the proposition of the propositional list. These was also provided the propositional list. These was from the date of appointment, to the propositional list. These was from the date of appointment, to the propositional list. The way from the date of appointment to the propositional list. The way from the date of appointment to the propositional list.

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Special Regulation 4.02. The appraisal by the superior and any comments of the employee being appraised shall be forwarded to the Director of Personnel by the chief of the appropriate [Bureau] department for inclusion in the employee's personnel file.

deperiment for inclusion in the employee's personnel file.

Special Regulation 6.0. In order to promote high morals and
special Regulation 6.0. In order to promote high morals and
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pilne, auspension and dismission.

Any member of the Police Electracial Department may be suspensed for the Police Electracial Department may be suspensed for dismission of the Police Electracial Department may be suspensed for several properties of the Police Police of the Police Comparison of

Sonnel of the Laurency apparament to which is appared.

Special Regulation 6.02. There shall be two types of suspensions administered in the Police and Fire [Bureaus] Departments: Summary Suspension, and Administrative Surpension.

mary Suspension, and Administrative Surpension.

Special Regulation 6.56. A Summary Surpension shall be one placed in effection 6.56. A Summary Surpension shall be one placed in effection from the surpension of the surpension of

sociaries, and in which delay in time wome on a neuroness. An aminishing of proper discipline and morals of a surface of the management of the summary supersion, the Unapacted Fee, Deputy Fire Chief of the Fire Borraul Deput supersion immediately and if confirmation to continue pending or supersion immediately and if confirmation of the facts involved. In no interest the Police Inspection of the facts involved. In no interest the Fire Marshal continue pending of the facts involved. In the property of the Police Inspection of the facts involved. In the Police Inspection of the Fire Marshal continue Special Police Inspection of the Police Inspection of the Police Inspection of the Police Inspection of the Special Police Inspection of the summary supersion in the Police Inspection of the Special Police In

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disciplinary penalty be imposed as outlined in Special Regulation 5.08 below; or (3) Charges and Specifications be filed against the

employee. Special Regulation 6.07. The [Boreas] Department Chief may accept, reject or modify [with the approval of the Director of Public Statevy] the recommendation of the Public Ingasteryla fairer with Deputy Fire Chief Chief

Special Regulation 6.08.

(d) transfer within the [Bareau] department.

(s) scanner within the Dairead generations.

Special Regulation 6.10 if the Chief of the [Burean] department approve the recommendation that Charges and Specifications all in filed against the Director of Public Safety] Administrative Officer, setting forth the Dwitting the violation or infraction of any directive, order or procedure alleged to have been committed by the

Special Regulation 6.11. The [Director of Public Safety]
Administrative Officer may modify or amend any Charges and Specifications brought before him before such Charges and Specifications are officially filled against an employee.

Special Regulation 6.12. After the official filing of Charges and Specifications with the [Director of Public Safety] Administrative Officer, he may continue the Summary Suspension for a period not to exceed thirty calendar days, which period shall be in addition to the original fifteen calendar day supersion. During this additional thirty day period, a hearing on the Charges and Specification state of the Charges and Specifications are considered to the Charges and Specifications are considered to the Charges and Specifications are considered to the Charges and Specifications to the Charges and Specifica

and granted.

On pulsyonement not to exceed fifteen calendar days may be granted by the Chairman of the Trial Board to the Defendant and/or their Figuresal playersizent Child provided, however, the request for postponement is received in writing prior to the theory of the proposed for the provided provers, the request for postponement is received in writing prior to the hearing date and time. In any every, all hearings before the Trial Board must be held within sixty calendar days from the day of filing of the Charges and Specifications. Exceptions in white the or a waiting trial on cripical and the provided provided provided the provided pr

Special Regulation 6.13. The employee against whom Charges and Specifications have been filed shall be notified of such action by forwarding him a copy of the Charges and Specifications at the

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possessing such qualifications of a special nature as are required for the tank in which the vacancy exists; provided, however, the in case more than one such cancary is to be filled, the number anneas certified shall be two greater than the number of vacancies.

names extuned annu or two greater than in number of vacancies.

Special Regulation 7.08. Members of the Police and Fire

Special Regulation 7.08 as eligible for promotion under

Special Regulation 7.06 must, prior to appointment, satisfactoring

pass a physical examination to establish that he is physically quali
net to perform the duties of the higher rank.

nea to persorm the outles of the higher rank.

Special Regulation 8.02. All employees of the Fire and Police
[Bureaus] Departments will earn sick leave at the rate of 15 days
per year accruable according to the following schedule:

1st through 10th 11th through 15th

ACCRUMENT ALLOWED

100 days maximum at any time 125 days maximum at any time 150 days maximum at any time

100 and over

100 days maximum at any time

[Bureau] Departments will be required to comply with any requests for information model by the Director of Personnel through

the use of such formar recent: special Regulation 9.03. The Director of Personnel shall keep a personnel folder on every employes in the Fire and Police [Bereux] Departments, show that the employees ame, current address, home alephone, direction, employment record and service record.

nome atephone, education, employment record and service excord.

Special Regulation 10.01. Applicates for employment in the
Fire and Police (Bureaus) are required by the laws of the State of
preference in control of the state of the State of
preference in control, however, that such preference shall not of
a tie in examination rating, involving v, are controlled to the control of the state of
a tie in examination rating, involving v, are not one controlled to the state of the state

on the employment list.

Special Emphasium 10:02. Employees of the Fire and Police Special Emphasium 10:02. Employees of the Fire and Police Special Emphasium 10:02. Emphasium

the empower is sain quanteen to perform time nurses of such neation. Special Regulation 1.10. The Director of Personnel, upon written recommendation by the Chief of the Fire or Police Burnard Directors, may approve leaves without pay for periods of 40 none year to employees presenting valid and sufficient reasons for such leaves. Repeat for leave in excess of thirty days must be made by

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the employee in writing. Employment elsewhere may terminate such

save.

Special Regulation 12.02. 10 o fer to protect the Public Health,
Safetynad Welfare, employees of the Fire and Police [Bureau]

Flower means are required to work those bours or days as directed by
the Chief of the appropriate Bureau] department in an order, regulation, or directive issued by him vertaily or in writing,
regular rate of pay and regardless of whether said work days fall on
holidays.

Special Regulation 13.02. All orders, regulations and directives of the Police and Fire [Bureaus] Departments now in existence or as may in the future be prescribed shall have full force and effect.

SECTION 5. And be it further exacted, That the designation of Title 24 of the Baltimore County Code, 1958, as amended, be amended

TITLE 24. POLICE [BUREAU] DEPARTMENT.

SECTION 6. And be it further reacted, That Sections 24-3, 24-13(a), 24-13(b) and 24-13A of the Baltimore County Code, 1988, as amended, Tille "Police Bureau," be and they are hereby repealed and re-emetted with amendments to read as follows:

24-3. Duties generally of the chief of bureau.

24.3. Duties generally of the chief of bureau.

It shall be the duty of the Chief of the Police [Bureau] Department to require each policenant, at such times of the day of the Chief of the Police [Bureau] Department to require each policenant, at such times of the day of the chief of the ch

24-13. Special police officers.

(a) In addition to the power and authority hereinbefore granted to appoint and regulate a Police [Bureau] Department, the county is authorized to appoint such number of speedia police officers as they may deem necessary for the proper protection of persons and property in the county.

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employee's last known address, as contained in the records of the Police or Fire [Bureau] Department, setting a time, date and place for a Trial Board hearing.

Special Repulsion S.14. The [Director of Public Safety]
Special Repulsion S.14. The [Director of Public Safety]
Administrative Officer shall set as Chairman of the Trial Board.
The findings of the Trial Board shall be final and the Board and
demniss any proceedings or prescribe any disciplines; and the control of the Co

Special Regulation 6.15. Any employee suspended shall be re-lieved of all official duries, placed in a leave without pay status and shall surrender all official equipment and identification issued to him by the [Durend] department.

by the EDmunal department.

Special Population 6.16. Any Police or Fire [Barran] Department of the Company of t

and Fire [Sureau] Department personnel.

And Andmistrative Supensia hall be one placed in effect only by the Chief of one Fire [Sureau] Department and shall be controlled on the Chief of the Chief of

Wherever any disciplinary action other than the filing of Charges and Specifications is imposed by the Chief of the Police or Fire Boreau] Department after thereugh investigation, a copy of his investigation and the contract of the property of the proper

Special Regulation 6.17. A written record of any disciplinary action imposed on any member of the Police or Pire [Bureau] Deportment shall be made in the employee's next annual performance rating.

Special Regulation 6.22. Any employee who resigns after Charges and Specifications have been filed against him, or who is section of the Trial Board shall be inelligible for reemployment or re-instatement in the Police or Pire [Bureau] Department.

Special Regulation 7.01. To be eligible for promotion to the next rank above the one the member of the Fire or Police [Bureau]

Department currently holds, the employee must meet the promo-

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(i) Such records able of the range be appointed or discharged without presence to the previousnes of this title relating to regular police officers, and they shall not be ment the right and privilege (Foresa) Repertment or shall perform such claims and privilege compensation, if any, as the county may determine. But all performs such claims and receive such opposition for any, as the county may determine the previousness of the performance of their duties they shall give such bond, as the county may presently.

24-13A. Police Cadets; appointment, duties.

24-13A. Police Cadets: appointment, duties:

a didtient to the power and eathering hereinbefore granted to
substance to appoint each under the control of
substance to appoint each number of problet [Bureau] Directeffective years and ten described as Police Cadets, as the county may
deem necessary. The appointment of problete [Bureau] Directeffective means and the substance of the county may
deem necessary. The appointment of the county may
deem necessary. The appointment of the day and the policy
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valing of a bond.

SECTION 7. And be it further enacted, That Sections 29-12 (a)3, 29-12(c) and 29-12(d) of the Baltimore County Code, as amended, Title "Schools," be and they are hereby repealed and remated with amendments to read as follows:

29-12(a)3.

"Approved inspector" means an inspector approved by the [director of public safety] Police Department to make the inspec-tions under this section.

29-12(c). The feparatment of public activ) Police Department is author-tree by regulations to designate the equipment, mechanisms, or parts of a school loan winned. Such rules and regulations about present for the supersistent of correction of any school burning and present inspection and for the restoring of operations of the supersistent of evidence activities of the school burning and the supersistent issue or part his properties of the supersistent of the supersistent country and the supersistent of the supersistent of the supersistent of the such as prescribed in this section or in ruch rules and regulations.

The approved facilities shall be those which are designated by the [director of public safety] Police Department from time to time. Whenever an approved facility is so designated, the Director of Per-

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mits and Licenses, on application of the owner or operator of the approved facility and upon receipt of a fee of ten dollars, shall issue a license to such approved facility for a paried of ones year, and the renewal fee for such license shall also be ten dollars per year, but not including county-owned achool buses or county-characteric achool

SSA. Bond and duttes of special officers. No are appointed massigned to the Police Duranal Officers who are appointed massigned to the Police Duranal Officers who are appointed massigned to the Police Duranal Officers of the Police Duranal Officers of the Officers of Computing America of the Officers of the Officers

SECTION 9. And be it further enacted, That Sections 40A-4 and 40A-5(a) of the Baltimore County Code, 1958, as amended, Title "Parathrokers," be and they are hereby repealed and re-enacted with amendments to read as follows:

40A-4. Good character, police [bureau] department, expiration of license prorated fee.

tion of liennes provinted fee.
Every applicant for a liennes to operate a pawrahop in Baltimore
County must apply for said liennes on forms to be supplied by the
Director of Permiss and Liennes. Applicants with the required to be
photographed and fingerprinted by the Folice [Internal] Directories
and every applications and Liennes. And Lienness instead under
this title shall expire on June 30 of each year. For lienness issued under
this title shall expire on June 30 of each year. For lienness issued
or periods of lienness that the shall be provided on a
monthly basis, but in no case shall it be less than one hundred dollars
and there shall be no relate on revolod or multited lienness
and there shall be no relates on revolod or multited lienness.

retition for Special Ex-e a Relistop.
Southeast corner to ag Valley Road and Ole

bearing on Special Exercises in Heatening of Special Exercises in Heatening of Heat

40.A.S. Stolen Goods.
(a) In the event an item is located in a Baltimore County pawnshop and it has been definitely established that this item was stolen within the boundaries of Baltimore County, and having been positively identified by proper owner and it an arrest and conviction has been made in regard to the increasy of said liver, it will him the county folial general generated upon demand. This will be county Foliac Bineral Department upon demand. This will be

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executed without the pawnbroker's being re'imbursed for the amount of the pledge by the Baltimore County Police [Bureau] Department and/or the actual owner of the item in question.

SECTION 10. And by it further exacted. That Group 4 of Sections at 4 and 4.83. of the Baltimore County Code, 1988 (1966 Cumulative Supplement). Tills "Peasions and Retirement," beat they are hereby repealed and re-enacted with amendments to read as follows:

Group 4. Policemen and firemen consisting of the permanent employees of the regular Fire and Police [bureaus] Departments.

41-38.1. Certain members of the police and fire [bureaus] departments need not be examined.

departments need not be examined.
Notwithstanding anything to the contrary contained in section
41.38 of this Code, numbers of the regular Fire and Police Bureaus]
Paperaments applying for admission to the employer referencest
stratem of Baltimore County need not be examined by the second created in section 4 contained to the second contraction and the section 4 contained received by Special Regulation
2.25 of section 22.42 of the Baltimore County Code, 1958 (1956
Comusitive Supplement).

SECTION 11. And be it further enacted, That Section 45-16 of the Baltimore County Code, 1958 (1966 Cumulative Supplement), Title "Taxicabs," be and it is hereby repealed and re-enacted with amendments to read as follows:

SECTION 12. Be it further enacted, That this bill shall take effect at the same time as Bill No. 72, 1988, becomes effective, but shall not take effect at all unless said Bill No. 72, 1988, is adopted by the voters of Baltimore County at the November 5, 1968 election.

READ AND PASSED this 4th day of November, 1968. By Order:

HIMES

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPICIAL EXCEPTION- Gerald W. Berg was inserted in the following:

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the
24day of Feb. 1978, that is to say, the same

STROMBERG PUBLICATIONS, INC.

BY Jaure Parrellow

was inserted in the issues of Feb. 23. 1978.

☐ Towson Times

☐ Arbutus Times

Community Times

☐ Suburban Times West

TOWSON, MD. 21204 Feb. 24.

☐ Catonsville Times

☐ Suburban Times East

☐ Dundalk Times

☐ Essex Times

Herbert Hohenberger, Secretary

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PRESENTED to the County Executive, for his approval this 6th day of November, 1968.

APPROVED AND ENACTED: November 8, 1968. Dale Anderson,

I HEREBY CERTIFY THAT BILL NO. 122 IS TRUE AND CORRECT AND WILL TAKE EFFECT ON DECEMBER 6, 1968.

Chairman, County Council

1- SIGN 0

78-193-X

CERTIFICATE OF FOSTING DEPARTMENT OF BALTIMORE COUNTY Towner, Meryland

Date of Posting JUNE 30,1978 District . Brok. Posted for APPEAL Petitioner GeRAL, W. BeRG Location of property SE COIL OF GREENSPRING VALLEY Rd. AND Oht VALLEY Rd. Location of Signs: SE Certa DE Greenstrine Valley Rd. AND OLD VALLEY Rd. Remarks

Posted by Fluctures B. Bolaced Date of return July 7,1979.

Signature

78-193-X 1-SIGN .

CERTIFICATE OF POSTING ARTMENT OF BALTIMORE COUN

REPOSTED Date of Posting 7-/3-78 Posted for APPEAL Petitioner GERALD W. BERG. Location of property: SE COR: OF GREENSPRING YALLEY Rd AND OLD VALLEY Pd. Location of Signar SE Cell. OF GREENSPRING WARKEY Rd. Remarks: Flouria L. Daland
Posted by Flouria Signature Date of return: 7-14-78

Herbert Hobenberger, Secretary

County Executive

Harry J. Bartenfelder,

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

19.78., the fast publication

appearing on the 23rd day of February 19.78

THE, JEFFERSONIAN, v975 Cost of Advertisement, \$

2

7/10 Time 10 -

WHILE YOU WERE OUT Traven Dix of As Bodg #78-193. TELEPHONED PLE SE CALL CALLED TO SEE YOU WILL CALL AGAIN
WANTS TO SEE YOU URGENT RETURNED YOUR CALL Message Called le suig Can is schoduled Say ner Brig ow prign on Augusty and It has governed operate. returned from in a flerad The was just Posts 16/3:

CASE NO. 78-193-X (Item No. 130)

GERALD W. RERG

SE cor. Greenspring Valley Rd. and Old Valley Rd. 3rd Election District

19, 1978

SPECIAL EXCEPTION - for Heliston

IDCA approved (#77-61-X)

D.Z.C. GRANTED SE, subject to restrictions 25. 1978

Order of Appeal to C.B. of A. filed by John W. Hessian, III, Esq., People's Coursel

Letter of Appeal to C.B. of A. filed by Harry N. Baetjer, Jr., et al., Protestants

Counsel for Petitioner

706 Carhington Circ. 21204 Mr. Gerold W. Berg Stevenson, Md. 21153

Protestant

old J. Oppel, Esq. ace Atthewated Ac-10-77

Mr. Montgomery Lewis, Exec. Dir. Valleys Planning Council 212 Washington Ave. (04)

Harry Norman Baetjer, Jr. 2217 Greenspring Valley Rd. Stevenson, Md. 21153

Ernest Hilton Wright 2201 Greenspring Volley Rd. Stevenson, Md. 21153

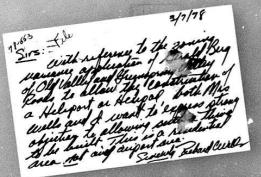
*Clarence Eugene Elderkin, Jr.

2008 Greenspring Valley Rd Stevenson, Md. 21153

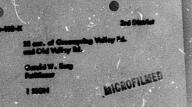
*John W. Hessian, III, Esq. People's Counse Mr. James E. Dyer, Zoning Supervisor

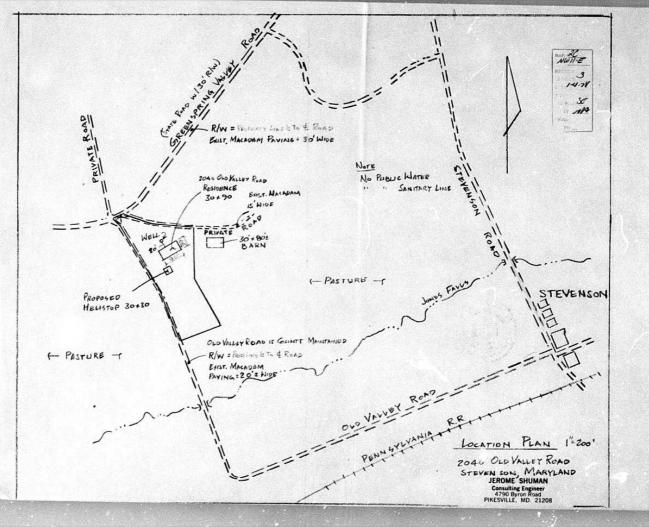
Req. Notification

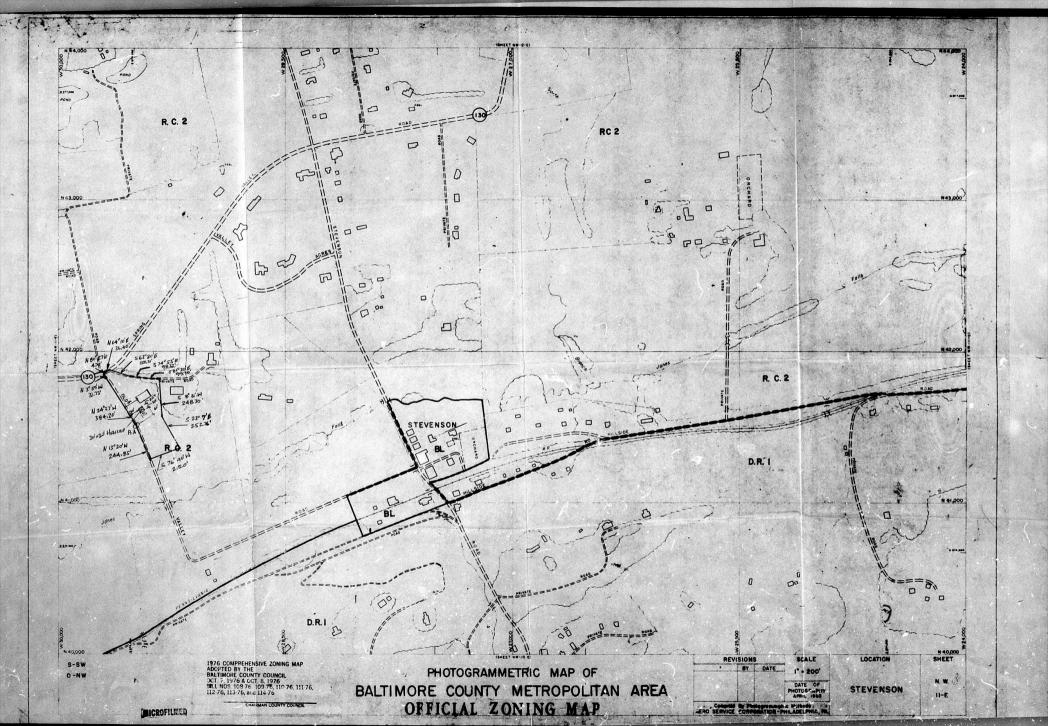
12-19-79 Gerald Bag. We simished the testimony. The Repli's Council with submit to us a memorandum by 12-27-79 + then it will be ready for un to write a decision Per W.a.R.







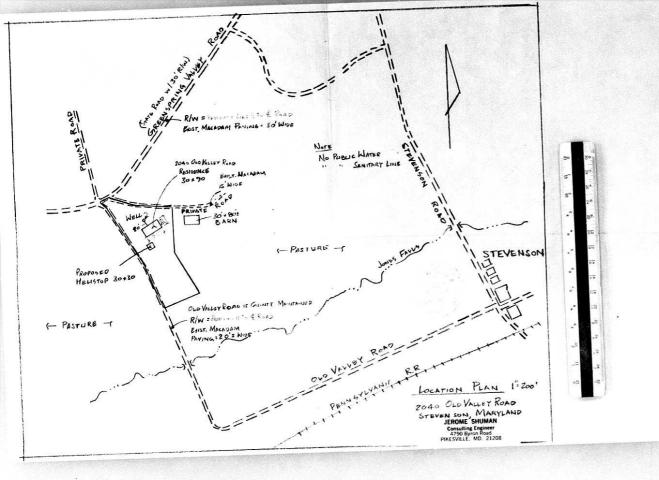








0-23 SW



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