

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from BL zone to an BR zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for ch 4/1/81 4/12/81

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

RECEIVED
BALTIMORE COUNTY
MAY 2 2 21 PM '81
COUNTY BOARD
OF APPEALS
BY: [Signature]

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) (Type or Print Name)
Signature _____ Signature _____
Address _____ (Type or Print Name)
City and State _____ Signature _____
Attorney for Petitioner: _____
Carl Berenholtz _____
(Type or Print Name) Address _____ Phone No. _____
Signature _____ City and State _____
808 W.R. Grace Building _____
Address _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21202 _____
City and State _____ Name _____
Attorney's Telephone No. 547-8080 _____ Address _____ Phone No. _____

BABC-Form 1



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 14, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Court House
Towson, Maryland 21204

Re: Item #22 (Cycle I - April-October 1981)
Property Owner: Alida Corporation
S/S Frederick Road 265' W. of Bloomsbury Avenue
Acres: 0.26 District: 1st

Dear Mr. Reiter:

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

General:

Comments were supplied in conjunction with the Planning Advisory Committee review of this property for Item #202 (1977-1978).

Highways:

Frederick Road (Md. 144) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway 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 Baltimore County.

The status of the access to the rear of this site is unknown to this office.

Sediment Control:

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

Storm Drains:

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

There is a drainage system traversing this site, which is not indicated on the submitted plan.

Item #22 (Cycle I - April-October 1981)
Property Owner: Alida Corporation
Page 2
April 14, 1981

Storm Drains. (Cont 3)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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

Water and Sanitary Sewer:

There are 10 and 12-inch public water mains and 12-inch public sanitary sewerage in Frederick Road.

Very truly yours,

[Signature]
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:WRS

CC: Jack Wimbley
George Wittman

H-NK Key Sheet
10 SW 23 Pos. Sheet
SW 3 F Topo
101 Tax Map

Attachment

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 29, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

500
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Protective Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Carl Berenholtz, Esquire
808 W R Grace Building
Baltimore, Maryland 21202

RE: Item #22 (Cycle I April-Oct., 1981) Petitioner: Alida Corp. Reclassification Petition

Dear Mr. Berenholtz:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the 1st 1980-1984 zoning cycle.

The petition has been reviewed by the Zoning Office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee.

The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before May 29, 1981. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

The subject properties, known as #725 through #720 Frederick Road, are presently zoned B.L. and are improved with commercial uses that include an archery range that is existing as a result of Case No. 78-278-XA. Adjacent properties to either side and across Frederick Road are also improved with commercial uses.

Because of your clients' proposal to rezone these properties to a B.R. Zone and request a special exception for a shooting range, this hearing is required. At the time of the original submission of this petition, the special exception request was not included. As indicated in conversations with you and your surveyor, Mr. Raphael, revised site plans and an environmental impact statement, as noted in Bill No. 46-79 for documented site plans, would be submitted.

May 12, 1979

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

Re: Item #202 (1977-1978)
Property Owner: Alida Corporation
S/S Frederick Rd. 310' W. of Bloomsbury Ave.
Existing Zoning: BR-200
Proposed Zoning: Private archery gallery
Acres: .10 District: 1st

Dear Mr. DiMenna:

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

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #202 (1977-1978).

Very truly yours,

[Signature]
ELLSWORTH M. DYER, P.E.
Chief, Bureau of Engineering

END:EAM:WRS

H-NK Key Sheet
10 SW 23 Pos. Sheet
SW 3 F Topo
101 Tax Map

Item No. 22 - Alida Corp.
Page Two - April 29, 1981

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3321. Notice of the specific hearing date, which will be between September and December of 1981, will be forwarded to you in the future.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC/sf

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204



baltime county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

March 30, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Office of Law
Courthouse
Towson, Maryland 21204

Item No. 22 - ZAC meeting of March 16, 1981.
Property Owner: Alida Corporation
Location: S/S Frederick Road 265' W. of Bloomsbury Avenue
Existing Zoning: BR
Proposed Zoning: BR
Acres: 0.26
District: 1st

Dear Mr. Reiter:

The requested zoning change from BL to BR is not expected to have a major effect on traffic.

Bloomsbury Avenue and Frederick Road is at F level of traffic service and parking is a problem in the area.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

NSF/bca

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

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and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

RECEIVED
BALTIMORE COUNTY
OFFICE OF APPEALS
MAY 2 2 21 PM '81
BY: [Signature]

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: _____ Legal Owner(s): Alida Corporation
(Type or Print Name) (Type or Print Name)
Signature [Signature] Signature [Signature]
Address _____ (Type or Print Name)
City and State _____
City and State _____
Attorney for Petitioner: _____
Carl Berenholtz _____
(Type or Print Name) Address _____ Phone No. _____
Signature [Signature] City and State _____
808 W.R. Grace Building _____
Address Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
Baltimore, Maryland 21202 _____
City and State Name
Attorney's Telephone No.: 547-8080 _____
Address Phone No. _____

BABC-Form 1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 29, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Carl Berenholtz, Esquire
808 W R Grace Building
Baltimore, Maryland 21202

RE: Item #22 (Cycle 1 April-Oct., 1981) Petitioner: Alida Corp.
Reclassification Petition

Dear Mr. Berenholtz:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the 1st 1980-1984 zoning cycle.

The petition has been reviewed by the Zoning Office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee.

The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before May 29, 1981. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

The subject properties, known as #725 through #729 Frederick Road, are presently zoned B.L. and are improved with commercial uses that include an archery range that is existing as a result of Case No. 73-278-XA. Adjacent properties to either side and across Frederick Road are also improved with commercial uses.

Because of your clients' proposal to rezone these properties to a B.R. Zone and request a special exception for a shooting range, this hearing is required. At the time of the original submission of this petition, the special exception request was not included. As indicated in conversations with you and your surveyor, Mr. Raphael, revised site plans and an environmental impact statement, as noted in Bill No. 46-79 for documented site plans, would be submitted.

Item No. 22 - Alida Corp.
Page Two - April 29, 1981

Particular attention should be afforded to the comments of the Department of Permits and Licenses.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between September and December of 1981, will be forwarded to you in the future.

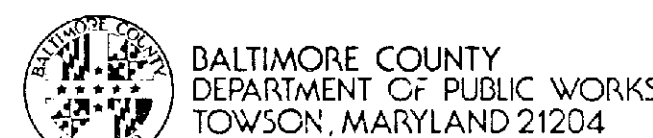
Very truly yours,

[Signature]
NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204



HARRY J. DISTEL, P.E.
DIRECTOR

April 14, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Court House
Towson, Maryland 21204

Re: Item #22 (Cycle I - April-October 1981)
Property Owner: Alida Corporation
S/S Frederick Road 265' W. of Bloomsbury Avenue
Acres: 0.26 District: 1st

Dear Mr. Reiter:

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

General:

Comments were supplied in conjunction with the Zoning Advisory Committee review of this property for Item #202 (1977-1978).

Highways:

Frederick Road (Md. 144) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway 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 Baltimore County.

The status of the access to the rear of this site is unknown to this office.

Sediment Control:

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

Storm Drains:

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

There is a drainage system traversing this site, which is not indicated on the submitted plan.

Item #22 (Cycle I - April-October 1981)
Property Owner: Alida Corporation
Page 2
April 14, 1981

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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

Water and Sanitary Sewer:

There are 10 and 12-inch public water mains and 12-inch public sanitary sewerage in Frederick Road.

Very truly yours,

[Signature]
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley
George Wittman

H-NE Key Sheet
10 SW 23 Pos. Sheet
SW 3 F Topo
101 Tax Map

Attachment

May 12, 1978

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

Re: Item #202 (1977-1978)
Property Owner: Alida Corporation
S/S Frederick Rd. 310' W. of Bloomsbury Ave.
Existing Zoning: BL-CCC
Proposed Zoning: Private archery gallery
Acres: .10 District: 1st

Dear Mr. DiNanna:

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

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #202 (1977-1978).

Very truly yours,
[Signature]
ELLENOR N. DYER, P.E.
Chief, Bureau of Engineering

EAD:EAM:FWR:ss

H-NE Key Sheet
10 SW 23 Pos. Sheet
SW 3 F Topo
101 Tax Map

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3350

STEPHEN E. COLLINS
DIRECTOR

March 30, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Office of Law
Courthouse
Towson, Maryland 21204

Item No. 22 - ZNC meeting of March 16, 1981
Property Owner: Alida Corporation
Location: S/S Frederick Road 265' W. of Bloomsbury Avenue
Existing Zoning: BL
Proposed Zoning: BR
Acres: 0.26
District: 1st

Dear Mr. Reiter:

The requested zoning change from BL to BR is not expected to have a major effect on traffic.

Bloomsbury Avenue and Frederick Road is at F level of traffic service and parking is a problem in the area.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

MSF/bza

April 6, 1981

Mr. Walter Reiter, Chairman
Board of Appeals
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Cycle I, #22, Zoning Advisory Committee Meeting of
March 16, 1981, are as follows:

Property Owner: Alida Corporation
Location: S/S Frederick Road 265' W. of Bloomsbury
Avenue
Existing Zoning: BL
Proposed Zoning: BR
Acreage: 0.26
District: 1st

Metropolitan water and sewer exist.

Prior to construction, renovation and/or installation of equip-
ment for this food service facility, complete plans and specifications must
be submitted to the Plans Review Section, Environmental Support Services,
Baltimore County Department of Health, for review and approval.

The zoning plan as submitted, does not contain sufficient informa-
tion; therefore, the Baltimore County Department of Health cannot make com-
plete comments.

Very truly yours,

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/als

AMENDED BRIEF AND
EXPLANATION OF REQUEST
FOR PETITION FOR RE-ZONING RECLASSIFICATION

The Alida Corporation by its tenant, Butler Bow and Bow Hunting,
hereby requests a change in zoning from its present BL to BR Zoning, at
the location known as 725-729 Frederick Road, Catonsville, Maryland 21228.

We have all read about and possibly personally felt an increase in
crime in or about the Baltimore Metropolitan area and outlying suburbs.
Daily we read of the increase in crime to persons and personal property.
Catonsville is no different than other areas with similar nature, within the
Baltimore County area. It too has experienced an increase in crime and a
growing fear by the general public to shop in said outlying areas, especially
at night. The amount of business which has been carried on by the merchants
in the Catonsville area at night has decreased, and the need for additional
and new business is a necessity in order for the merchants and in particular
the Petitioners in this case, to encourage shoppers to patronize the Catonsville
area. The Petitioners moving in to the Catonsville area has created a new
flow in the area and new zoning is imperative for the Petitioner and the
Catonsville area to continue to grow. However, in order to continue this
attempt to bring a new economic strength within the community additional
categories, as far as zoning is a necessity in order to continue an upswing
of business. Under the present BL Zoning, taking into consideration the
vicinity and the location of Catonsville to much large shopping malls within
other parts of the county it is necessary to change to BR Zoning, which will
allow the Petitioners to establish new and additional types of businesses
which can be provided to the community in order to encourage shopping
within the Catonsville area.

OFFICE COPY
REVISED PLANS

Item 33
Cycle I

PAUL H. RENCKE
CHIEF

March 19, 1981

Mr. William Hammond cc: Walter Reiter
Zoning Commissioner Chairman of Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Alida Corporation

Location: S/S Frederick Road 265' W. of Bloomsbury Avenue

Item No.: 22 Zoning Agenda: Meeting of March 16, 1981

Gentlemen:

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

() 1. 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 Public Works.

() 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 Fire Department.

() 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operation.

X 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Protection
Association Standard No. 101 "Life Safety Code", 1976 Edition prior
to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: Paul H. Rencke Noted and Approved: Nick Commodari
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

It must be noted that under no circumstances the Petitioner would
entertain any additional type of business within his present location which
would change the actual physical use of the facility, its parking, etc. Accord-
ingly it is imperative that the Petitioner be granted a BR Zoning in order
to keep pace with the needs of the community, based on the explanations
previously listed.

Carl Berenholtz
808 Grace Building
Baltimore, Maryland 21202
547-8080
Attorney for Petitioner

page -2-

REVISED PLANS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Walter Reiter
Board of Appeals Chairman Date: March 27, 1981
Mr. Charles E. Burnham
Plans Review Chief Permits and Licenses
SUBJECT: Cycle I - 1981

RE: Cycle Zoning March 24, 1981

PROPERTY OWNER: Alida Corporation
LOCATION: S/S Frederick Road 265' W. of Bloomsbury Avenue
EXISTING ZONING: BL
PROPOSED ZONING: BR
ACRES: 0.26
DISTRICT: 1st

ITEM NO. 22

This property is within the Catonsville fire limits. This limits
the type of construction and in some cases the use of a structure if a change of
occupancy is involved. Section 300.1 amended, 301.1 amended, key plan Bill 199-79,
Map "A" Bill 199-79, Section 302.1, 1978 B.O.C.A., 302.2, 1978 B.O.C.A., Table 302,
1978 B.O.C.A. and other sections within the B.O.C.A. Code affecting other areas of
structures may be applicable.

The paragraph of description located on Page 10 of Bill 199-79 is
critical in fire zone.

NOTE: All comments are based on data provided on site plans and
data provided by the Zoning Advisory Committee.
Comments in many cases cannot be more specific or advisory
due to the limited information.

Charles E. Burnham
Plans Review Chief

CEB:rrj

CC: Nick Commodari

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
from B.L. to B.R. Zone :
S/S of Frederick Road 265' : FOR BALTIMORE COUNTY
W. of Bloomsbury Avenue :
1st District : AT LAW
Alida Corporation, Petitioner : Misc. Docket No. 14
Zoning Case No. R-82-143 : Folio No. 52
: File No. 82-M-47

ANSWER TO PETITION ON APPEAL

People's Counsel for Baltimore County, a party to this proceeding and an
Appellee herein, for answer to the Petition heretofore filed by Petitioner herein,
respectfully says:

1. The Appellee admits the matters and facts alleged in the first paragraph
of said Petition.
2. Answering the second and third paragraphs of said Petition, this Appellee
denies that the decision of the Board of Appeals was arbitrary, capricious, unreasonable,
confiscatory, or contrary to the evidence before it as alleged by said Petitioner in his
Petition.

AND AS IN DUTY BOUND, etc.,

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

Peter Max Zimmerman
Deputy People's Counsel

I HEREBY CERTIFY that on this 12th day of March, 1982, a copy of the
foregoing Answer to Petition on Appeal was delivered to the Administrative Secretary,
County Board of Appeals, Room 200, Court House, Towson, Maryland 21204; and a
copy mailed to Carl Berenholtz, Esquire, 808 W.R. Grace Building, Baltimore, MD 21202.

John W. Hession, III

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
from B.L. to B.R. Zone :
S/S of Frederick Rd., 265' : FOR BALTIMORE COUNTY
W. of Bloomsbury Ave., 1st District : Item 22, Cycle I

ALIDA CORPORATION, Petitioner.

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of August, 1981, a copy of the foregoing
Order was mailed to Carl Berenholtz, Esquire, 808 W. R. Grace Building, Baltimore,
Maryland 21202.

John W. Hession, III

RE: PETITION FOR RECLASSIFICATION : IN THE
from B.L. to B.R. : CIRCUIT COURT
S/S of Frederick Road, 265' :
W. of Bloomsbury Avenue : FOR
1st District : BALTIMORE COUNTY
ALIDA CORPORATION, : AT LAW
Petitioner-Appellant :
Zoning File No. R-82-143 : Misc. File No. 14
: Folio No. 52
: File No. 82-M-47

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure,
William T. Hackett, LeRoy B. Spurrier, and John A. Miller, constituting the County Board
of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to
the representative of every party to the proceeding before it; namely, Carl Berenholtz, Esq.,
808 W. R. Grace Bldg., Baltimore, Md., 21202, Counsel for the Petitioner; Gemma
Adami, Alida Corporation, c/o Carl Berenholtz, Esq., 808 W. R. Grace Bldg., Baltimore,
Md. 21202, Petitioner; and John W. Hession, III, Esq., Court House, Towson, Md. 21204,
People's Counsel for Baltimore County, a copy of which Notice is attached hereto and
prayed that it may be made a part thereof.

John Hession
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
Telephone 494-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice
has been mailed to Carl Berenholtz, Esq., 808 W. R. Grace Bldg., Baltimore, Md. 21202,
Counsel for Petitioner; Gemma Adami, Alida Corp., c/o Carl Berenholtz, Esq., 808 W. R.
Grace Bldg., Balt., Md. 21202, Petitioner; and John W. Hession, III, Esq., Court

April 6, 1981

Mr. Walter Reiter, Chairman
Board of Appeals
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Cycle I, #22, Zoning Advisory Committee Meeting of
March 16, 1981, are as follows:

Property Owner: Alida Corporation
Location: S/S Frederick Road 265' W. of Bloomsbury
Avenue
Existing Zoning: BL
Proposed Zoning: BR
Acres: 0.26
District: 1st

Metropolitan water and sewer exist.

Prior to construction, renovation and/or installation of equip-
ment for this food service facility, complete plans and specificatio must
be submitted to the Plans Review Section, Environmental Support Services,
Baltimore County Department of Health, for review and approval.

The zoning plan as submitted, does not contain sufficient informa-
tion; therefore, the Baltimore County Department of Health cannot make com-
plete comments.

Very truly yours,

Ian M. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als

AMMENDED BRIEF AND
EXPLANATION OF REQUEST
FOR PETITION FOR RE-ZONING RECLASSIFICATION

The Alida Corporation by its tenant, Butler Bow and Bow Hunting,
hereby requests a change in zoning from its present BL to BR Zoning, at
the location known as 725-729 Frederick Road, Catonsville, Maryland 21228.

We have all read about and possibly personally felt an increase in
crime in or about the Baltimore Metropolitan area and outlying suburbs.
Daily we read of the increase in crime to persons and personal property.
Catonsville is no different than other areas with similar nature, within the
Baltimore County area. It too has experienced an increase in crime and a
growing fear by the general public to shop in said outlying areas, especially
at night. The amount of business which has been carried on by the merchants
in the Catonsville area at night has decreased, and the need for additional
and new business is a necessity in order for the merchants and in particular
the Petitioners in this case, to encourage shoppers to patronize the Catonsville
area. The Petitioners moving in to the Catonsville area has created a new
flow in the area and new zoning is imperative for the Petitioner and the
Catonsville area to continue to grow. However, in order to continue this
attempt to bring a new economic strength within the community additional
categories, as far as zoning is a necessity in order to continue an upswing
of business. Under the present B L Zoning, taking into consid-ration the
vicinity and the location of Catonsville to much larger shopping malls within
other parts of the county it is necessary to change to B R Zoning, which will
allow the Petitioners to establish new and additional types of businesses
which can be provided to the community in order to encourage shopping
within the Catonsville area.

SINGLE COPY
MAILED 4/14/81

John W. Hession, III
Cycle I

PAUL H. REINCKE
CHIEF

March 19, 1981

Mr. William Hammond cc: Walter Reiter
Zoning Commissioner Chairman of Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Alida Corporation

Location: S/S Frederick Road 265' W. of Bloomsbury Avenue

Item No.: 22 Zoning Agenda: Meeting of March 16, 1981

Gentlemen:

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

() 1. Fire hydrants for the referenced property are required and shall be
located at intervals of _____ feet along an approved road in
accordance with Baltimore County Standards as published by the
Department of Public Works.

() 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 Fire Department.

() 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operation.

X 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Protection
Association Standard No. 101 "Life Safety Code", 1976 Edition prior
to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Carl Berenholz Noted and
Planning Group Approved: James M. W. Commodari
Special Inspection Division Fire Prevention Bureau

/mb

It must be noted that under no circumstances the Petitioner would
entertain any additional type of business within his present location which
would change the actual physical use of the facility, its parking, etc. Accord-
ingly it is imperative that the Petitioner be granted a BR Zoning in order
to keep pace with the needs of the community, based on the explanations
previously listed.

Carl Berenholz
Carl Berenholz
808 Grace Building
Baltimore, Maryland 21202
547-8080
Attorney for Petitioner

page -2-

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Walter Reiter
Board of Appeals Chairman Date: March 27, 1981

FROM: Mr. Charles E. Burnham
Plans Review Chief Permits and Licenses

SUBJECT: Cycle I - 1981

RE: Cycle Zoning March 24, 1981

PROPERTY OWNER: Alida Corporation
LOCATION: S/S Frederick Road 265' W of Bloomsbury Avenue
EXISTING ZONING: BL
PROPOSED ZONING: BR
AGREED: 0.26
DISTRICT: 1st

ITEM NO. 22

This property is within the Catonsville fire limits. This limits
the type of construction and in some cases the use of a structure if a change of
occupancy is involved. Section 300.1 amended, 301.1 amended, Key plan Bill 199-79,
Map "A" Bill 199-79, Section 300.1, 1978 B.O.C.A., 302.2, 1978 B.O.C.A., Table 302,
1978 B.O.C.A. and other sections within the B.O.C.A. Code affecting other areas of
structures may be applicable.

The paragraph of description located on Page 10 of Bill 199-79 is
critical in fire zone.

NOTE: All comments are based on data provided on site plans and
data provided by the Zoning Advisory Committee.
Comments in many cases cannot be more specific or advisory
due to the listed information.

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrj

CC: Nick Commodari

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
from B.L. to B.R. Zone :
S/S of Frederick Road 265' : FOR BALTIMORE COUNTY
W of Bloomsbury Avenue :
1st District : AT LAW
Alida Corporation, Petitioner : Misc. Docket No. 14
Zoning Case No. R-82-143 : Folio No. 52
: File No. 82-M-47

ANSWER TO PETITION ON APPEAL

People's Counsel for Baltimore County, a party to this proceeding and an
Appellee herein, for answer to the Petition heretofore filed by Petitioner herein,
respectfully says:

1. The Appellee admits the matters and facts alleged in the first paragraph
of said Petition.
2. Answering the second and third paragraphs of said Petition, this Appellee
denies that the decision of the Board of Appeals was arbitrary, capricious, unreasonable,
confiscatory, or contrary to the evidence before it as alleged by said Petitioner in his
Petition.

AND AS IN DUTY BOUND, etc.,

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

I HEREBY CERTIFY that on this 12th day of March, 1982, a copy of the
foregoing Answer to Petition on Appeal was delivered to the Administrative Secretary,
County Board of Appeals, Room 200, Court House, Towson, Maryland 21204; and a
copy mailed to Carl Berenholz, Esquire, 808 W.R. Grace Building, Baltimore, MD 21202.

John W. Hession, III

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
from B.L.-C.C.C. to B.R. Zone :
S/S of Frederick Rd., 265' : FOR BALTIMORE COUNTY
W of Bloomsbury Ave., 1st District : Item 22, Cycle I

ALIDA CORPORATION, Petitioner
: : : : :
: : : : :

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of August, 1981, a copy of the foregoing
Order was mailed to Carl Berenholz, Esquire, 808 W. R. Grace Building, Baltimore,
Maryland 21202.

John W. Hession, III
John W. Hession, III

RE: PETITION FOR RECLASSIFICATION : IN THE
from B.L. to B.R. Zone : CIRCUIT COURT
S/S of Frederick Road, 265' :
W. of Bloomsbury Avenue : FOR
1st District : BALTIMORE COUNTY
ALIDA CORPORATION, :
Petitioner-Appellant : AT LAW
Zoning File No. R-82-143 : Misc. File No. 14
: Folio No. 52
: File No. 82-M-47

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure,
William T. Hackett, LeRoy B. Spurrier, and John A. Miller, constituting the County Board
of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to
the representative of every party to the proceeding before it; namely, Carl Berenholz, Esq.,
808 W. R. Grace Bldg., Baltimore, Md., 21202, Counsel for the Petitioner; Gemma
Adami, Alida Corporation, c/o Carl Berenholz, Esq., 808 W. R. Grace Bldg., Baltimore
Md. 21202, Petitioner; and John W. Hession, III, Esq., Court House, Towson, Md. 21204,
People's Counsel for Baltimore County, a copy of which Notice is attached hereto and
prayed that it may be made a part thereof.

John Holmen
John Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
Telephone 494-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice
has been mailed to Carl Berenholz, Esq., 808 W. R. Grace Bldg., Baltimore, Md. 21202,
Counsel for Petitioner; Gemma Adami, Alida Corp., c/o Carl Berenholz, Esq., 808 W. R.
Grace Bldg., Balto., Md. 21202, Petitioner; and John W. Hession, III, Esq., Court

Alida Corp.
Case No. R-82-143

House, Towson, Maryland, 21204, People's Counsel for Baltimore County, on this 12th day of March, 1982.

June Holmen
County Board of Appeals of Baltimore County

Re: PETITION FOR RECLASSIFICATION FROM B.L. TO B.R.
ALIDA CORPORATION
Zoning File No. R-82-143

IN THE
CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

Misc. Docket No 14
Folio: 52
File No. 82-M-47

PETITIONER'S MEMORANDUM OF LAW

The Petitioner - Appellant, by its attorney Carl Berenholtz, pursuant to Maryland Rule B12, submits this memorandum of law.

Alida Corporation owns the property designated 725-729 Frederick Road in Catonsville (Transcript of Hearing of 12/16/81, P. 3). Part of the premises is leased to Butler Bow and Bow Hunting, a business which sells and repairs archery equipment, operates an archery range and sells and repairs firearms (T.19). The property is zoned B.L. and the archery range is operated under a special exception (T.20).

The Petitioner sought a change in zoning to B.R. with a special exception which would allow the operation of a firearms range (T.4, 25-26). Hearings were held on the map process rezoning and apparently there was no problem with the request (T.4). However, the reclassification was denied and an appeal was taken to the County Board of Appeals (T.4-5). It is from the decision of the County Board of Appeals denying the reclassification that this appeal is taken.

The question on judicial review in a case such as this is whether or not the action or refusal to act by a zoning authority is arbitrary and discriminatory or fairly debatable. This rule has been most recently stated in Howard County, Md. v. William P. Dorsey, Court of Appeals of Md., Sept. Term, 1980, filed Jan. 6, 1982, Daily Record, Mar. 15, 1982, p. 2.

EXPLANATION OF REQUEST FOR PETITION FOR ZONING RE-CLASSIFICATION

The Alida Corporation by its tenant Butler Bow and Bowhunting hereby request a change of zoning for it is of the opinion and the request of Butler Bow and Bowhunting that some of the existing Archery Ranges located in the premises be altered to include a hand gun pistol shooting range open to the club members whom presently use the facilities located at 729 Frederick Road, Catonsville, Maryland 21228.

At the present time within the metropolitan area in and around the City of Baltimore there are no public areas available for individuals to shoot a hand gun without belonging to a formalized shooting club. It is the desire of Butler Bow and Bowhunting which is a subsidiary of Duffy's Sports, Inc. to alter and change part of the existing Archery Range to include shooting ranges for the use of hand guns. Presently on the location of Butler Bow and Bowhunting the sale of bows and related items are being conducted as well as the sale of rifles, shot guns and hand guns and related items. Presently Butler Bow and Bowhunting has contributed to a tremendous increase in the business in the Catonsville community and the feeling of all concerned would be that there is a definite need for facilities for individuals to shoot hand guns and that this change in zoning will not in anyway materially effect any parting within the community. Studies have been made and will be submitted as far as any noise impact it would have on the community or any ecological factors as far as smoke or any other prospective dangerous or obnoxious side affects of a shooting range which will show that there is no danger to the environment or to the community by construction of the shooting range. The existing hours of Butler Bow and Bowhunting will not change due to the construction of and operation of a pistol shooting range from what it is presently in operation.

In Northampton Corp. vs. Prince George's County, 273 Md. 93, 327 A. 2d. 774 (1974), the Court of Appeals defined the rule of the Circuit Court on review as follows:

"...the function of the Circuit Court is a limited one: it reviews the entire record to determine whether the action of the district council was unreasonable, arbitrary or capricious." 327 A. 2d at 778.

In Norbeck Village Joint Venture v. Montgomery County, 254 Md. 59, 254 A. 2d 700, 705 (1969), the Court of Appeals upheld the Circuit Court's finding that the challenged rezoning was not "arbitrary, discriminatory or illegal."

Thus it is clear that the actions of zoning authorities, while presumptively correct, may, nevertheless, be overturned by a court if the action of the authority is arbitrary, capricious, unreasonable, discriminatory or illegal. In the present case, the actions of the authority were unreasonable and arbitrary and should be overturned by this Court.

Under B.L. zoning, which exists in this case, the operation of a retail store which sells and repairs firearms is a permissible use. However, the operation of a firing range is not. This is the flaw which renders the actions of the zoning authority unreasonable: either the reclassification of the Petitioner's property must be granted to allow the operation of a firing range or such operation should be included among permissible uses in a B.L. zone.

In the case of Robert Seifert v. Garcia Corp., et al, Baltimore City Court, 110/334/5-096961, the Plaintiff brought suit against a gun shop alleging that he had purchased a firearm but had not been properly instructed in its use and had accidentally shot himself. He obtained a judgment for \$250,000.00. Liability was based on the duty of a seller of a firearm to give proper instructions in the use of such a potentially dangerous instrumentality. (See Petitioner's Exhibits Nos. 1-A, 1-B and 1-C)

RE: PETITION FOR RECLASSIFICATION : IN THE
from B.L. to B.R. : CIRCUIT COURT
S/S of Frederick Road, 265' :
N. of Bloomsbury Avenue :
1st District :
ALIDA CORPORATION, :
Petitioner-Appellant : BALTIMORE COUNTY
Zoning File No. R-82-143 : AT LAW

Misc. Doc. No. 14
Folio No. 52
File No. 82-M-47

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, LeRoy B. Spurrier and John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. R-82-143

March 2, 1981 Petition of Alida Corporation for reclassification from a BL zone to a BR zone on property located on the south side of Frederick Rd., 265' W of Bloomsbury Ave. in the 1st District of Baltimore County, Maryland.

Order of William T. Hackett, Chairman, County Board of Appeals, directing advertisement and posting of property - date of hearing set for Dec. 16, 1981, at 10 a.m.

April 29, 1981 Comments of Balto. County Zoning Advisory Committee - filed

November 26, 1981 Certificate of Publication in newspaper - filed

November 30, " Certificate of Posting of property - filed

December 16, " At 10 a.m. hearing held on petition

By close analogy, there is also a duty on a person who repairs a firearm to test fire it before returning it to its owner in order to make sure that the weapon is operating properly and does not pose a threat to the operator. Given the existence of these duties owed to gun shop customers, a zone which permit the operation of a business which sells and repairs firearms must also permit the operation of a firing range for the testing of repaired weapons and instruction in the use of sold weapons. Otherwise, the business cannot be operated in such a way that the proprietor may fulfill his duties to his customers under the law.

Therefore, one of the items listed as permissible in a B.L. zone must be parenthetically removed from the B.L. list and placed on the B.R. listing, for it is clearly unlawful to sell and repair firearms without the use of a firing range for testing and instruction.

Since the current B.L. and B.R. zones do not conform to what is required by the law, it is clear that there was, in the original formulation of zones, a division of permissible uses which was unreasonable, arbitrary and contrary to law. This showing on the part of the Petitioner clearly satisfies the requirements of the cases cited above. Therefore, this Court may and should reverse the decision of the County Board of Appeals.

Respectfully submitted,

Carl Berenholtz
Carl Berenholtz
808 Grace Building
Baltimore, Maryland 21202
547-8080

I HEREBY CERTIFY that on this 6th day of April, 1982, a copy of the foregoing Petitioner's Memorandum of Law was mailed postage prepaid to each of the following:

County Board of Appeals
c/o Leonard Jacobson
Mezzanine - Court House
Towson, Md. 21204

People's Counsel for Baltimore County
c/o John W. Hession, III
Room 223, Court House
Towson, Maryland 21204

Carl Berenholtz

Alida Corporation
Case No. R-82-143

February 4, 1982 Order of County Board of Appeals denying the reclassification from B.L. to B.R. petitioned for

February 24, " Order for Appeal filed in the Cir. Ct. for Baltimore County by Carl Berenholtz, Esq., Counsel for Appellant

February 24, " Petition to accompany Order for Appeal filed in Cir. Ct. for Baltimore County

March 12, " Certificate of Notice sent to all interested parties

March 15, " Petition for Extension for Transmittal of Record

April 6, " Transcript of testimony filed - 1 volume

Petitioner's Exhibit No. 1-A, B, C, - Suite brought by Robert Seifert, et al, Plaintiffs, and Elaine Scheuerman Charles Scheuerman

People's Counsel Exhibit No. 1A thru 1G - Photos of site

" " " No. 2 - Excerpt Balto. Co. Council, 6/11/80

" " " No. 3 - Excerpt Balto. Co. Council, 9/25/80

April 7, " Record of proceedings filed in the Circuit Ct. for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations, together with the zoning use district maps at the hearing on this petition, or whenever directed to do so by this Court.

Respectfully submitted,

June Holmen
June Holmen
County Board of Appeals of Baltimore County

cc: Carl Berenholtz, Esq.
John W. Hession, III, Esq.

Re: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
from B.L. to B.R. :
S/S of Frederick Rd., 265' :
W of Bloomsbury Ave., 1st District :
ALIDA CORPORATION, :
Petitioner-Appellant : BALTIMORE COUNTY
Zoning File R-82-143 : AT LAW

Misc. File No. 82-M-47

APPELLEE'S MEMORANDUM

Appellee respectfully submits the following and for its Memorandum pertaining to this case:

Appellee adopts Appellant's recital of facts and citation of cases pertinent to the issues in this appeal. Appellee respectfully maintains, however, that even on the basis of said factual recitation and legal citations, Appellant fails to state a case for reversal of the action of the County Board of Appeals herein.

Respectfully submitted,

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of June, 1982, a copy of the foregoing Appellee's Memorandum was mailed to Carl Berenholtz, Esquire, 808 Grace Building, Baltimore, Maryland 21202.

John W. Hession, III

Alida Corp.
Case No. R-82-143

House, Towson, Maryland, 21204, People's Counsel for Baltimore County, on this 12th day of March, 1982.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

Re: PETITION FOR RECLASSIFICATION FROM B.L. TO B.R.
ALIDA CORPORATION
Zoning File No. R-82-143

* IN THE
* CIRCUIT COURT
* FOR BALTIMORE COUNTY
* AT LAW
* Misc. Docket No 14
* Folio: 52
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At the present time within the metropolitan area in and around the City of Baltimore there are no public areas available for individuals to shoot a hand gun without belonging to a formalized shooting club. It is the desire of Butler Bow and Bowhunting which is a subsidiary of Duffy's Sports, Inc. to alter and change part of the existing Archery Range to include shooting ranges for the use of hand guns. Presently on the location of Butler Bow and Bowhunting the sale of bows and related items are being conducted as well as the sale of rifles, shot guns and hand guns and related items. Presently Butler Bow and bowhunting has contributed to a tremendous increase in the business in the Catonsville community and the feeling of all concerned would be that there is a definite need for facilities for individuals to shoot hand guns and that this change in zoning will not in anyway materially effect any parking within the community. Studies have been made and will be submitted as far as any noise impact it would have on the community or any ecological factors as far as smoke or any other prospective dangerous or obnoxious side affects of a shooting range which will show that there is no danger to the environment or to the community by construction of the shooting range. The existing hours of Butler Bow and Bowhunting will not change due to the construction of and operation of a pistol shooting range from what it is presently in operation.

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W. of Bloomsbury Avenue :
1st District : FOR
ALIDA CORPORATION, : BALTIMORE COUNTY
Petitioner-Appellant : AT LAW
Zoning File No. R-82-143 : Misc. Doc. No. 14
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CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, LeRoy B. Spurrier and John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

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Respectfully submitted,

Carl Berenholtz
808 Grace Building
Baltimore, Maryland 21202
547-8080

I HEREBY CERTIFY that on this 6th day of April, 1982, a copy of the foregoing Petitioner's Memorandum of Law was mailed postage prepaid to each of the following:

County Board of Appeals
c/o Leonard Jacobson
Mezzanine - Court House
Towson, Md. 21204

People's Counsel for Baltimore County
c/o John W. Hessian, III
Room 223, Court House
Towson, Maryland 21204

Carl Berenholtz
Carl Berenholtz

Alida Corporation
Case No. R-82-143

February 4, 1982 Order of County Board of Appeals denying the reclassification from B.L. to B.R. petitioned for
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April 6, " Transcript of testimony filed - 1 volume
Petitioner's Exhibit No. 1-A, B, C, - Suite brought by Robert Seifert, et al, Plaintiffs, and Elaine Scheuerman Charles Scheuerman
People's Counsel Exhibit No. 1A thru 1G - Photos of site
" " " No. 2 - Excerpt Balto. Co. Council, 6/11/80
" " " No. 3 - Excerpt Balto. Co. Council, 9/25/80
April 7, " Record of proceedings filed in the Circuit Ct. for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations, together with the zoning use district maps at the hearing on this petition, or whenever directed to do so by this Court.

Respectfully submitted,

June Holmen
June Holmen
County Board of Appeals of Baltimore County

cc: Carl Berenholtz, Esq.
John W. Hessian, III, Esq.

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
from B.L. to B.R. :
S/S of Frederick Rd., 255' : FOR BALTIMORE COUNTY
W of Bloomsbury Ave., 1st District : AT LAW
ALIDA CORPORATION, : Misc. File No. 82-M-47
Petitioner-Appellant :
Zoning File R-82-143 :

APPELLEE'S MEMORANDUM

Appellee respectfully submits the following as an. for its Memorandum pertaining to this case:

Appellee adopts Appellant's recital of facts and citation of cases pertinent to the issues in this appeal. Appellee respectfully maintains, however, that even on the basis of said factual recitation and legal citations, Appellant fails to state a case for reversal of the action of the County Board of Appeals herein.

Respectfully submitted,

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of June, 1982, a copy of the foregoing Appellee's Memorandum was mailed to Carl Berenholtz, Esquire, 808 Grace Building, Baltimore, Maryland 21202.

John W. Hessian, III
John W. Hessian, III

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

PETITION FOR APPEAL

Alida Corporation, Petitioner, by its attorney Carl Berenholtz, respectfully represents unto your Honor:

1. That your Petitioner filed an Order of Appeal on this date from the Decision of the County Board of Appeals of Baltimore County, dated February 4, 1982, under Appeal No. R-82-143, in which the County Board of Appeals disapproved the Petitioner's application for rezoning from B L to B R zoning.
2. That the decision was arbitrary, capricious, unreasonable and confiscatory.
3. That the Decision is contrary to the evidence before the County Board of Appeals.
4. And for such other and further reasons as will be presented at the Hearing of this Appeal.

WHEREFORE, your Petitioner prays this Honorable Court pass an Order reversing the Decision of the County Board of Appeals of Baltimore County.

ALIDA CORPORATION

Gemma Adams

Carl Berenholtz

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

ORDER OF APPEAL

MR. CLERK:

Please enter an Appeal from the Decision of the County Board of Appeals of Baltimore County, dated Thursday, February 4, 1982, in the matter of Appeal No. R-82-143.

ALIDA CORPORATION

Gemma Adams

Carl Berenholtz
808 Grace Building
Baltimore, Md. 21202
547-8080
Attorney for Appellant

I HEREBY CERTIFY, that on this _____ day of February, 1982, a copy of the foregoing Order of Appeal was mailed to John W. Hessian, III, People's Counsel for Baltimore County, Room 223, Court House, Towson, Maryland 21204.

Carl Berenholtz

I HEREBY CERTIFY that on this _____ day of February, 1982, a copy of the foregoing PETITION FOR APPEAL was mailed to County Board of Appeals, Room 219, Court House, Towson, Maryland 21204.

Carl Berenholtz

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
Case #82-M-47
Docket #14
Folio 52

PETITION FOR EXTENSION FOR
TRANSMITTAL OF RECORD

Alida Corporation, Petitioner, by its attorney, Carl Berenholtz, respectfully requests an extension of time for transmitting record for the following reasons:

1. That your Petitioner did file an Order for Appeal which has been docketed in the Circuit Court for Baltimore County, Case Number 82-M-47, Docket #14, Folio 52. Said deadline for having the record transmitted having been set as of the 24th day of March, 1982.
2. That the Court Reporter, Ms. Carol Beresh, notified the undersigned that she was going on vacation and could not have the transcript prepared and forwarded to the Circuit Court for Baltimore County prior to the deadline for transmitting of said record, that being March 24, 1982.
3. That your Petitioner has not been dilatory and has done everything that he had to do in order to perfect his Appeal and that the delay is due to, as previously stated, the Court Reporter's inability to prepare the transcript.

That in the spirit of justice and fair play it is hereby requested that the time for transmitting of said records be extended for a period of thirty (30) days.

ALIDA CORPORATION

Gemma Adams

Carl Berenholtz

LAW MISCELLANEOUS
CIRCUIT COURT FOR BALTIMORE COUNTY
DOCKET #14 PAGE 52 CASE NO. 82-M-47 CATEGORY

ALIDA CORPORATION
A Body Corporate
Appellant

Carl Berenholtz
808 Grace Bldg. (CJ)
547-8080

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Appellee

PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY

John W. Hessian, III
Peter Max Simon
Rm. 223, Court House
Towson, MD 21204
410-2160

NO. 82-M-47

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
Case #82-M-47
Docket #14
Folio 52

ORDER

It is on this _____ day of _____, 1982, on the Petition For Extension For Transmittal of Record, ORDERED that in connection with the above entitled case, the Petitioner having shown good cause why a thirty (30) day Extension should be granted it is hereby ORDERED that said request be granted and that the Petitioner be allowed to transmit the Record of Appeal thirty (30) days from March 24, 1982.

JUDGE

8/15/82 HH Argued. Oral opinion. Order of
of Appeals affirmed

Your case
R-82-143

True Copy Test
ELMER H. KAHN, JR.
For Deputy Clerk

RE: PETITION FOR RECLASSIFICATION : BEFORE
from S.L. to B.R. : COUNTY BOARD OF APPEALS
S/S of Frederick Road 265' : OF
W. of Bloomsbury Avenue : BALTIMORE COUNTY
1st District : No. R-82-143

OPINION

This case comes to the Board of Appeals on direct petition for a reclassification of property having S.L. zoning, presently being used as a sporting goods store, to B.R. zoning. The subject property is located on the south side of Frederick Road 265 feet west of Bloomsbury Avenue in Catonsville, in the interior of a neighborhood shopping center, as shown on People's Counsel's Exhibits #1-A, #1-G and #1-F.

Testimony from the Petitioner and Petitioner's witnesses to support the requested zoning change produced the following considerations for this Board:

1. The subject site is a former bowling alley; now leased to the Butler Bow Co. This company sells bows and arrows, and has at the present time in the basement of this building two indoor archery ranges, permitted by special exception.
2. The owners request B.R. zoning for this parcel so that they may request a special exception for a firearms shooting range in one of these now existing archery ranges, this use not being permitted under its present S.L. zoning.
3. Testimony as to the need for this type facility was introduced as well as testimony that such a firearms range could be erected without any detrimental effect on any neighbor or the neighborhood.
4. This request was also on issue on the 1980 comprehensive maps, maps 1-100, and the requested zoning change was denied.

Testimony from People's Counsel produced the following considerations for this Board:

1. On June 11, 1980, at the public hearing held at Catonsville High School, this issue, known as issue 1-100, was presented and considered by the Baltimore County Council. A transcript of the Minutes of that meeting

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

PETITION FOR APPEAL

Alida Corporation, Petitioner, by its attorney Carl Berenholtz, respectfully represents unto your Honor:

1. That your Petitioner filed an Order of Appeal on this date from the Decision of the County Board of Appeals of Baltimore County, dated February 4, 1982, under Appeal No. R-82-143, in which the County Board of Appeals disapproved the Petitioner's application for rezoning from B L to B R zoning.

2. That the decision was arbitrary, capricious, unreasonable and confiscatory.

3. That the Decision is contrary to the evidence before the County Board of Appeals.

4. And for such other and further reasons as will be presented at the Hearing of this Appeal.

WHEREFORE, your Petitioner prays this Honorable Court pass an Order reversing the Decision of the County Board of Appeals of Baltimore County.

ALIDA CORPORATION

Gemma Adams

Carl Berenholtz

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

ORDER OF APPEAL

MR. CLERK:

Please enter an Appeal from the Decision of the County Board of Appeals of Baltimore County, dated Thursday, February 4, 1982, in the matter of Appeal No. R-82-143.

ALIDA CORPORATION

Gemma Adams

Carl Berenholtz
808 Crane Building
Baltimore, Md. 21202
547-8680
Attorney for Appellant

I HEREBY CERTIFY, that on this _____ day of February, 1982, a copy of the foregoing Order of Appeal was mailed to John W. Hessian, III, People's Counsel for Baltimore County, Room 223, Court House, Towson, Maryland 21204.

Carl Berenholtz

I HEREBY CERTIFY that on this _____ day of February, 1982, a copy of the foregoing PETITION FOR APPEAL was mailed to County Board of Appeals, Room 219, Court House, Towson, Maryland 21204.

Carl Berenholtz

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
Case #82-M-47
Docket #14
Folio 52

PETITION FOR EXTENSION FOR
TRANSMITTAL OF RECORD

Alida Corporation, Petitioner, by its attorney, Carl Berenholtz, respectfully requests an extension of time for transmitting record for the following reasons:

1. That your Petitioner did file an Order for Appeal which has been docketed in the Circuit Court for Baltimore County, Case Number 82-M-47, Docket #14, Folio 52. Said deadline for having the record transmitted having been set as of the 24th day of March, 1982.

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3. That your Petitioner has not been dilatory and has done everything that he had to do in order to perfect his Appeal and that the delay is due to, as previously stated, the Court Reporter's inability to prepare the transcript.

That in the spirit of justice and fair play it is hereby requested that the time for transmitting of said records be extended for a period of thirty (30) days.

ALIDA CORPORATION

Gemma Adams

Carl Berenholtz

I HEREBY CERTIFY that on this _____ day of March, 1982, a copy of the foregoing PETITION FOR EXTENSION FOR TRANSMITTAL OF RECORD was mailed to John W. Hessian, III, People's Counsel for Baltimore County, Room 223, Court House, Towson, Maryland 21204 and County Board of Appeals, Room 219, Court House, Towson, Maryland 21204.

Carl Berenholtz

ALIDA CORPORATION
A Body Corporate
Appellant
vs.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
A Municipal Corporation
Appellee

IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
Case #82-M-47
Docket #14
Folio 52

ORDER

It is on this _____ day of _____, 1982, on the Petition For Extension For Transmittal of Record, ORDERED that in connection with the above entitled case, the Petitioner having shown good cause why a thirty (30) day Extension should be granted it is hereby ORDERED that said request be granted and that the Petitioner be allowed to transmit the Record of Appeal thirty (30) days from March 24, 1982.

JUDGE

CIRCUIT COURT FOR BALTIMORE COUNTY

ALIDA CORPORATION
A Body Corporate
Appellant

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Appellee
PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY

Carl Berenholtz
808 Crane Bldg.
547-8680

John W. Hessian, III
Peter Alex Zirkel
Rm. 223, Court House
Towson, MD 21204
494-2168

RE: PETITION FOR RECLASSIFICATION
from B.L. to B.R.
S/S of Frederick Road 265'
W. of Bloomsbury Avenue
1st District
Alida Corporation,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. R-82-143

OPINION

This case comes to the Board of Appeals on direct petition for a reclassification of property having B.L. zoning, presently being used as a sporting goods store, to B.R. zoning. The subject property is located on the south side of Frederick Road 265 feet west of Bloomsbury Avenue in Catonsville, in the interior of a neighborhood shopping center, as shown on People's Counsel's Exhibits #1-A, #1-G and #1-F.

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1. The subject site is a former bowling alley now leased to the Butler Bow Co. This company sells bows and arrows, and has at the present time in the basement of this building two indoor archery ranges, permitted by special exception.
2. The owners request B.R. zoning for this parcel so that they may request a special exception for a firearms shooting range in one of these now existing archery ranges, this use not being permitted under its present B.L. zoning.
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1. On June 11, 1980, at the public hearing held at Catonsville High School, this issue, known as Issue 1-100, was presented and considered by the Baltimore County Council. A transcript of the Minutes of that meeting

HH. Argued. Oral opinion. Order of
2/15/82 of Appeals affirmed.

Your case
R-82-143

John W. Hessian, III
Peter Alex Zirkel
M. Smith

- was entered as People's Counsel's Exhibit #2.
- On September 25, 1980, at the public hearing held at Lansdowne Senior High School, this issue was again considered by the Council. A transcript of the Minutes of that meeting was entered as People's Counsel's Exhibit #3.
- On October 14, 1980, the County Council retained the existing B.L. classification.

After careful consideration of all the testimony and evidence produced in this case, the Board is of the opinion that the Petitioner has failed to demonstrate any error in the comprehensive map process. There is clearly no confiscatory aspect of the existing B.L. zoning as an ongoing business is now being conducted on this site. There is no evidence that there were any aspects of this request not considered by the County Council. To grant one business entity B.R. zoning where nothing but B.L. zoning exists would be pure spot zoning, and this is not only not desirable but is not permitted for the reasons stated above the Board must deny the requested zoning change and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 4th day of February, 1982, by the County Board of Appeals, ORDERED that the reclassification from B.L. to B.R. petitioned for, be and the same is hereby DENIED.

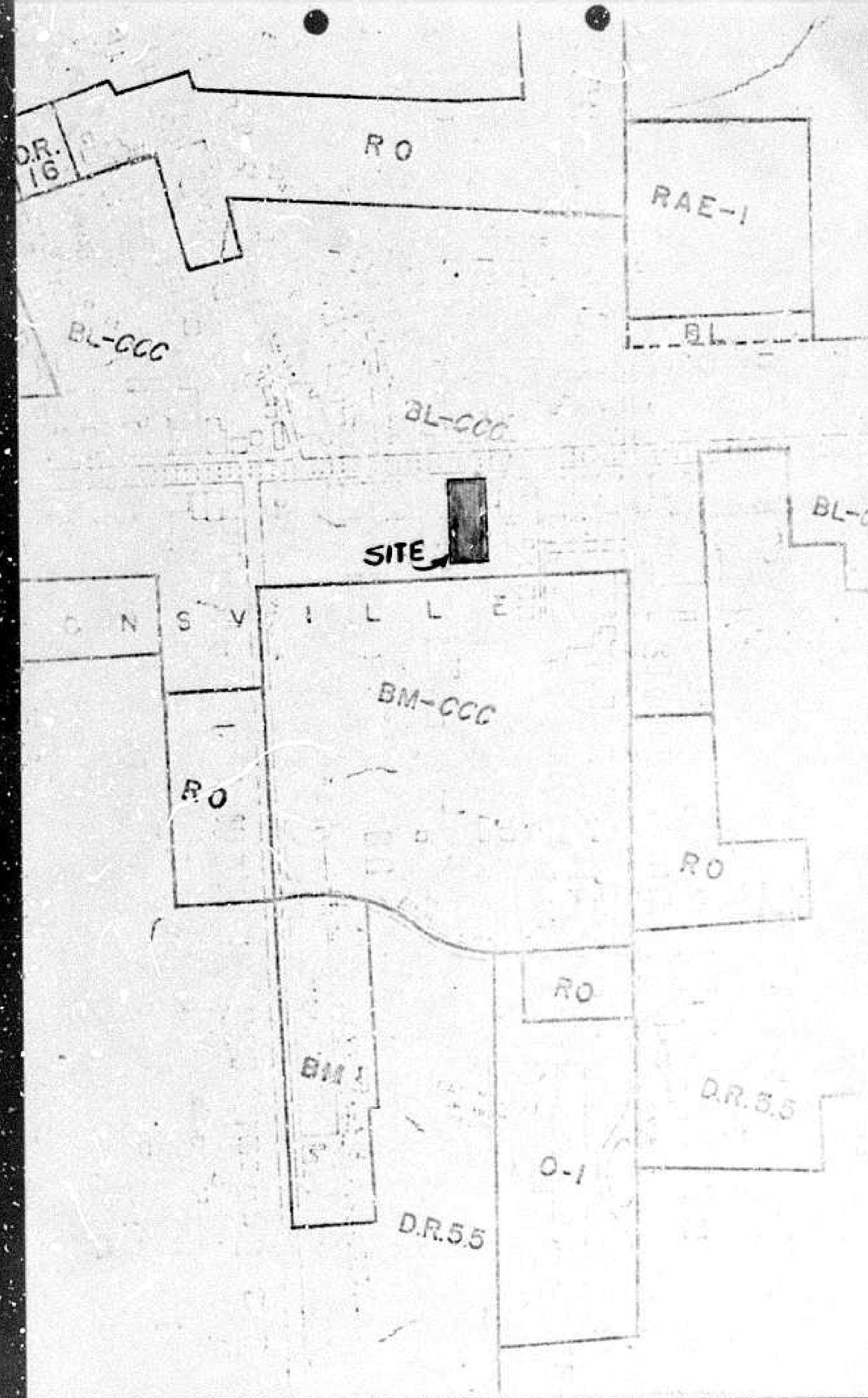
Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett,
William T. Hackett, Chairman

LeRoy B. Gaurier,
LeRoy B. Gaurier

John A. Miller,
John A. Miller



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
424-3353

December 8, 1981

Carl Berenholts, Esquire
808 W. R. Grace Building
Baltimore, Maryland 21202

RE: Petition for Re-classification
S/s Frederick Rd., 265' W of Bloomsbury Ave.
Alida Corporation - Petitioner
Case #R-82-143

Dear Mr. Berenholts:

This is to advise that \$51.31 is due for the 2nd full page add of the cycle 1 billing. You have already been billed for the 1st full page add as well as for the individual posting and advertising of this property. All bills must be paid before an order is issued. This is your final bill.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:klr

Office of
COLUMBIA
Publishing Co.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

November 25 19 81

THIS IS TO CERTIFY, that the annexed advertisement of
Special Exception Frederick Rd

was inserted in the following:

- ☒ Catonsville Times
- ☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 28 day of November 1981, that is to say, the same was inserted in the issues of

November 25, 1981

COLUMBIA PUBLISHING CO.
By *[Signature]*

19.50

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

December 7, 1981

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Carl Berenholts, Esquire
808 W. R. Grace Building
Baltimore, Maryland 21202

RE: Petition for Re-classification
S/s Frederick Rd., 265' W of Bloomsbury Ave.
Alida Corporation - Petitioner
Case #R-82-143

Dear Mr. Berenholts:

This is to advise you that \$42.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

December 7, 1981

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Carl Berenholts, Esquire
808 W. R. Grace Building
Baltimore, Maryland 21202

RE: Petition for Re-classification
S/s Frederick Rd., 265' W of Bloomsbury Ave.
Alida Corporation - Petitioner
Case #R-82-143

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Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

Receipt mailed to:
Butler Bow & Bow Hunting
Div. of Duffy's Sports Inc.
729 B Frederick Rd.
Baltimore, MD 21228

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

December 8, 1981

Carl Berenholts, Esquire
808 W. R. Grace Building
Baltimore, Maryland 21202

RE: Petition for Re-classification
S/s Frederick Rd., 265' W of Bloomsbury Ave.
Alida Corporation - Petitioner
Case #R-82-143

Dear Mr. Berenholts:

This is to advise that \$51.31 is due for the 2nd full page add of the cycle 1 billing. You have already been billed for the 1st full page add as well as for the individual posting and advertising of this property. All bills must be paid before an order is issued. This is your final bill.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:klr

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff
vs
Defendant
CERTIFICATE OF PUBLICATION OF

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

102678

DATE 12/17/81 ACCOUNT 01-143

AMOUNT \$51.31

RECEIVED FROM
FOR Individual Posting & Advertising & 2nd full page add (Alida Corporation)

2006140017 9331

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Mrs. Gemma Adami, who is the President of the Alida Corporation, do hereby appoint Carl Berenholtz, Esquire, 808 W. R. Grace Building, Baltimore, Maryland 21202, my attorney-in-fact to act in my name, place and stead and to sign my name as the President of the Alida Corporation to the Petition for Zoning Reclassification heretofore signed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my seal this day of 1981.

Gemma Adami (SEA.)
Gemma Adami

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

On the 25 day of March, 1981, before me personally appeared Gemma Adami, to me well known and known to me to be the individual described herein, and to execute the foregoing instrument and she acknowledged to me that she executed the same.

Muriel B. Hall
Notary Public

My Commission Expires July 1, 1982

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

March 12, 1982

Carl Berenholtz, Esq.
808 W. R. Grace Bldg.
Baltimore, Md. 21202

Re: Case No. R-82-143
Alida Corporation

Dear Mr. Berenholtz:

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary

Encls.
cc: Gemma Adami,
Alida Corporation

March 12, 1982

BILLED TO: Carl Berenholtz, Esq.
808 W. R. Grace Bldg.
Balto., Md. 21202

Cost of certified documents filed
in Case No. R-82-143 \$ 6.00

Alida Corporation
5/5 of Frederick Rd. 265' W of
Bloomerby Ave.
1st District

MAKE CHECKS PAYABLE TO: Baltimore County, Md.

REMIT TO: County Board of Appeals
Rm. 200, Court House
Towson, Md. 21204

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

March 12, 1982

John W. Hession, III, Esq.
People's Counsel for Balto. County
Court House
Towson, Md. 21204

Re: Case No. R-82-143
Alida Corp.

Dear Mr. Hession:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secy.

Encl.
cc: W. E. Hammond
J. E. Dyer
N. E. Garber
J. G. Harwell
Bd. of Education



TECTUM WALL PANELS FOR SOUND CONTROL

Commercial • Institutional

Where any kind of activity within an enclosed space produces undesirable noise levels, Tectum Panels offer an effective, permanent and attractive solution. While Tectum Panels are usually specified as part of new construction, they are also used effectively for sound treatment in existing buildings. Up to 80% absorption of the noise striking the Tectum Panels can be achieved. Tough, low cost Tectum Panels composed of wool fibers and inorganic binders provide sound control, safety and durable insulation in a single material. Tectum Panels are rugged, lightweight, easy to handle and are delivered ready for erection. Long edges may be either beveled or square. Resistance to fungus, dry rot and termites has been proved by laboratory and field tests.

COMBUSTIBILITY
Flame Spread of 25 or less under the ASTM E84 test method qualifies Tectum to be rated noncombustible. Refer to Underwriters Laboratories, Inc., Guide to BTRY (Acoustics).

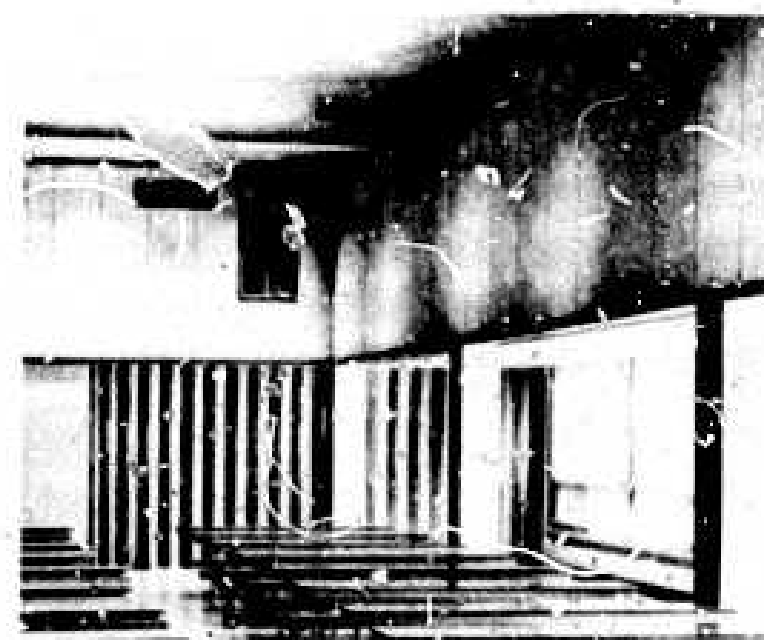
FIRE HAZARD CLASSIFICATION			
Panel	Flame Spread	Smoke Development	Fire Retardant
Painted or Unpainted	25	15	0

EXPANSION AND CONTRACTION
Tectum when tested in the specified manner, does not exceed the maximum linear expansion requirement (0.5 of 1%) shown in Federal Specification LLL-1535 dated November 7, 1960.

INSULATION
For a structural material, Tectum has high insulating

value. The Tectum insulating values are based on a "K" Factor of 57.
RECOMMENDATIONS
On new wall installations, the base construction itself must be sufficient to obtain the desired overall sound transmission resistance level.
The building in which the Tectum Panels are to be installed should be closed in and in cold weather, heating should be in operation prior to installation. Material should be located at the job site for at least 24 hours prior to application so that it can adjust to equilibrium in temperature and moisture.
Tectum Panels should not be used in areas where they may be exposed to water or where conditions permit condensation to form within the Tectum panel.
Because of the thickness tolerance, square edge panels should not be butted together. Square edge panels should be spaced a minimum of 1" with a raised or recessed batten.

INSTALLATION AND USES
For New or Remodeled Interiors of commercial, public or institutional buildings, one inch thick Tectum Panels can be applied to wall surfaces by nailing or furring or by adhering direct to wall. Where painting of Tectum Panels is desired, spray application of alkali-stable latex paint is recommended. Up to four coats of spray-applied paint have no adverse effect on the sound absorption value of Tectum. All other thicknesses must be mechanically fastened. Nailing to furring is recommended where the existing wall surface is in poor condition or where maximum sound absorption is to be obtained by supplementing with glass fiber type batt insulation in the cavity between furring strips. Concrete nails should provide not less than 1/2" penetration into the furring into the nail driven at a 45° angle to the



Tectum surface and countersink with a nail set. Nails should be located not less than 1/2" from the panel edges. Allowable spans and nail spacing should not exceed the limits given in the following table.

Thickness	Span	Fasteners Required		
		Nominal 24 width	Nominal 32 width	Nominal 36 width
1"	48"	2	2	2
1 1/2"	72"	2	2	2
2"	96"	2	2	2
2 1/2"	120"	2	2	2

* 1/2" thick, 24" wide Panels may be applied with T&G strips spaced at 24" on center.

** 2" thick, 24" wide Panels may be applied with T&G strips spaced at 24" on center.

With both the nailing and the adhesive application method, it is necessary that the Tectum Panel rest on a wood plate that will serve as a positive support for the

Tectum Panel and as a nailer for finish baseboard or floor carpeting flashed up the wall.

For adhesive application use a quality panel adhesive of caulking consistency (Gold Bond Modified Contact Adhesive or Gold Bond Wallboard/Panel Adhesive). The beads of adhesive shall be continuous, 3/4" diameter placed across the top and lengthwise a maximum of 12" o.c. The beads of adhesive shall be applied approximately 1/2" in from panel edges and top to prevent squeeze-out from behind the panel. After removing dirt and loose paint from the wall surface and applying adhesive to the panel, press the panel firmly against the adhesive, transfer to wall surface and apply pressure wall. Immediately after, pull panel away and check into position permanently. Top and bottom nailing is recommended, using finishing nails driven at a 45° angle and countersink with a nail set. Where necessary to maintain proper edge alignment, additional nails should be used. These panels must also be permanently supported across the base by a mechanically fastened wood plate of appropriate thickness.

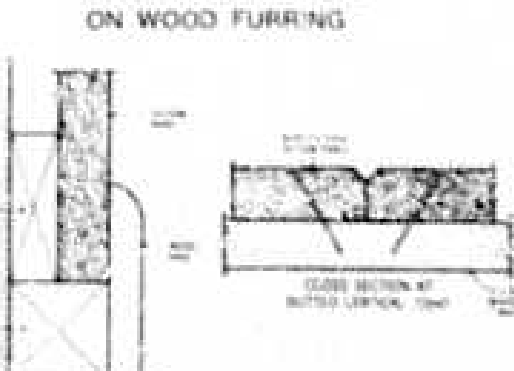
TECTUM PANELS Sound Performance

Absorption Coefficients α_z									
Thick	Mid	2"	250	500	1000	2000	4000	NRC Range	KGIC Test No.
1"	2	26	14	27	57	59	65	35 - 45	#7309
1 1/2"	4	67	12	44	70	70	74	35 - 45	#7301
2"	8	18	53	96	90	71	90	75 - 85	#7355
2 1/2"	2	99	16	36	70	69	78	40 - 50	#7203
3"	4	99	14	31	65	66	84	40 - 50	#7167
2"	2	13	20	50	70	56	72	45 - 55	#7306
2 1/2"	4	12	20	42	80	67	84	45 - 55	#7168
2"	2	14	29	77	67	80	85	60 - 70	#7308
2 1/2"	4	18	28	63	87	62	80	55 - 65	#7165
3"	2	14	32	78	60	91	91	60 - 70	#7207
3 1/2"	4	11	25	62	76	75	88	60 - 70	#7164

MOUNTING TYPES



TECTUM WALL PANELS ON WOOD FURRING



TECTUM PANELS FOR SOUND CONTROL

Industrial

INSTALLATION AND USES

For New Industrial Construction, Tectum Sidewall and Partition Panels are generally installed outside the girts and directly under the siding. T&G Panels are placed side by side and moved into position with a driving block to assure a snug fit. For application direct to steel girts, Type S-25 screws are recommended.

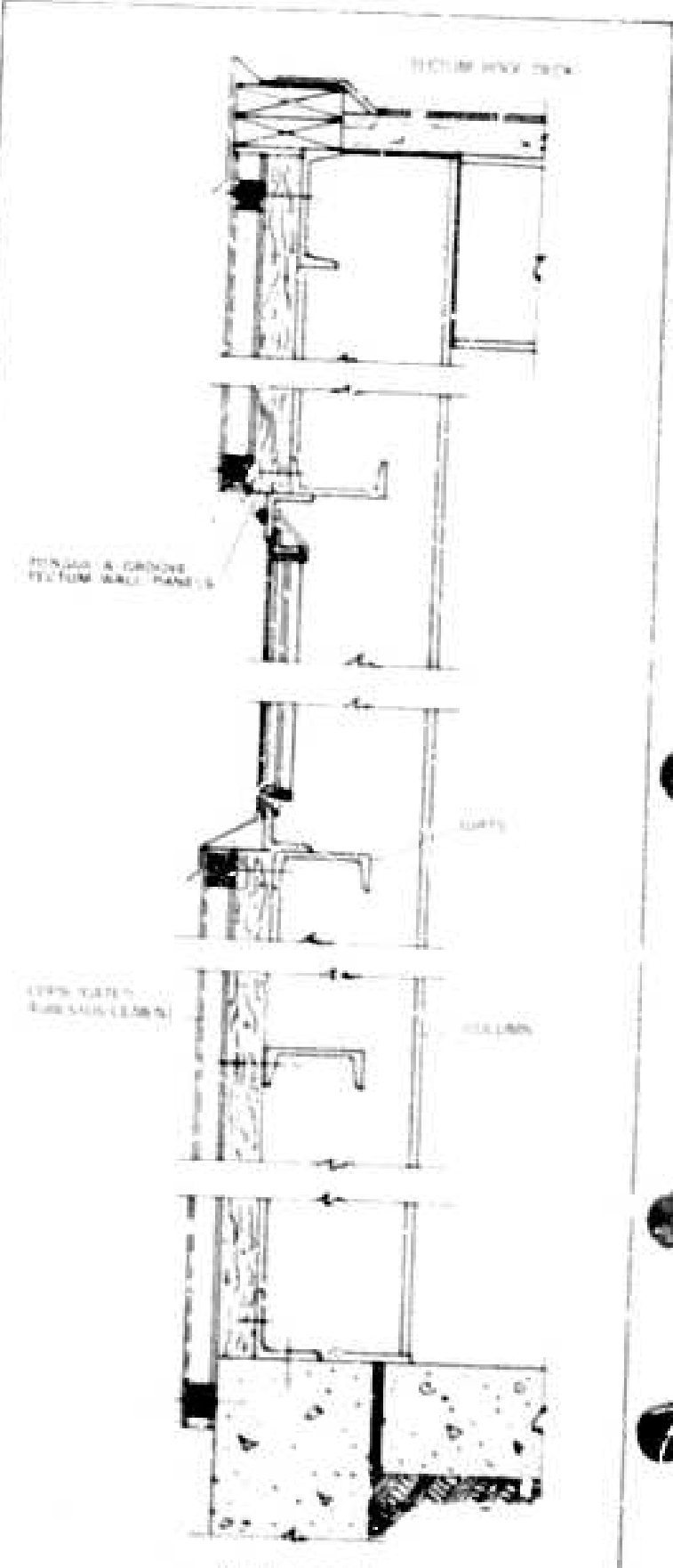
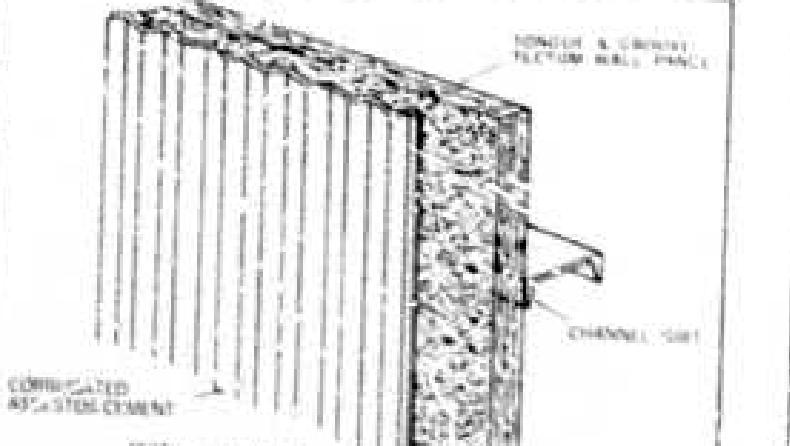
A pry of asphalt saturated roofing felt is factory applied and should be placed to the exterior side. When a breathing type exterior siding is used, such as uncured asbestos-cement, Tectum joints should be either caulked or covered with 6" wide strips of No. 15 asphalt saturated felt applied with asphalt plastic cement.

Application of exterior siding must be coordinated with installation of Tectum to insure that panels are not exposed to precipitation which may cause staining or exposed surfaces. If siding is installed without delay, fasteners may be limited to those required to hold Tectum Panels in place temporarily. Spacing of girts is determined by the span capability of the facing material. When used under metal facem on spans exceeding those in the following table, Tectum must be bolted to facing to provide support at the intervals recommended. Tectum bevelled T&G Panels may also be applied over the interior flange of girts, for an uninterrupted interior wall effect.

Thickness	Span	Fasteners Required		
		Nominal 24 width	Nominal 32 width	Nominal 36 width
1 1/2"	72"	2	2	2
2"	96"	2	2	2
2 1/2"	108"	2	2	2
3"	120"	2	2	2

* 1 1/2" thick, 24" wide Panels may be applied to inside of girts with T&G strips spaced at 24" on center.

** 2" thick, 24" wide Panels may be applied to inside of girts with T&G strips spaced at 24" on center.



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Mrs. Gemma Adami, who is the President of the Alida Corporation, do hereby appoint Carl Berenholtz, Esquire, 808 W. R. Grace Building, Baltimore, Maryland 21202, my attorney-in-fact to act in my name, place and stead and to sign my name as the President of the Alida Corporation to the Petition for Zoning Reclassification heretofore signed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my seal this day of 1981.

Gemma Adami (SEAL)
Gemma Adami

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

On the 25 day of March, 1981, before me personally appeared Gemma Adami, to me well known and known to me to be the individual described herein, and to execute the foregoing instrument and she acknowledged to me that she executed the same.

Muriel B. Hall
Notary Public

My Commission Expires July 1, 1982

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

March 12, 1982

Carl Berenholtz, Esq.
808 W. R. Grace Bldg.
Baltimore, Md. 21202

Re: Case No. R-82-143
Alida Corporation

Dear Mr. Berenholtz:

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary

Encls.
cc: Gemma Adami,
Alida Corporation

March 12, 1982

BILLED TO: Carl Berenholtz, Esq.
808 W. R. Grace Bldg.
Balto., Md. 21202

Cost of certified documents filed
in Case No. R-82-143 \$ 8.00

Alida Corporation
S/S of Frederick Rd. 265' W of
Bloomsbury Ave.
1st District

MAKE CHECKS PAYABLE TO: Baltimore County, Md.

REMIT TO: County Board of Appeals
Rm. 200, Court House
Towson, Md. 21204

494-3182

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

March 12, 1982

John W. Hession, III, Esq.
People's Counsel for Balto. County
Court House
Towson, Md. 21204

Dear Mr. Hession:

Re: Case No. R-82-143
Alida Corp.

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Jane Holmen
Jane Holmen, Secy.

Encl.
cc: W. E. Hammond
J. E. Dyer
N. E. Garber
J. G. Howell
Bd. of Education

TECHNICAL BULLETIN NO. 9-8008

DECEMBER 1977

Supersedes Bulletin
Dated October 1976

REPRESENTED BY
GRAHAM, VAN LEE & ELMORE CO., INC.
8453 A TYCO ROAD
TYSON'S CORNER, VIRGINIA 22106
(703) 821-6332



TECTUM WALL PANELS

FOR SOUND CONTROL

Commercial • Institutional • Industrial

(703) 821-6990

Graham, Van Lee & Elmore Co., Inc.
ARCHITECTURAL BUILDING PRODUCTS

A WAYNE VAN LEE

8453 A TYCO ROAD
TYSON'S CORNER, VA 22101

GOLD BOND BUILDING PRODUCTS
DECEMBER 1977



TECTUM WALL PANELS FOR SOUND CONTROL

Commercial • Institutional

Where any kind of activity within an enclosed space produces undesirable noise levels, Tectum Panels offer an effective, permanent and attractive solution. While Tectum Panels are usually specified as part of new construction, they are also used effectively for sound treatment in existing buildings. Up to 80% absorption of the noise striking the Tectum Panels can be achieved. Tough, low cost, Tectum Panels composed of woven fibers and inorganic binders provide sound control, safety and durable insulation in a single material. Tectum Panels are rugged, lightweight, easy to handle and are delivered ready for erection. Long edges may be either beveled or square. Resistance to fungus, dry rot and termites has been proved by laboratory and field tests.

COMBUSTIBILITY
Flame Spread of 25 or less under the ASTM E84 test method qualifies Tectum to be rated noncombustible. Reference Underwriters' Laboratories, Inc., Guide No. B191 (Acoustical).

FIRE HAZARD CLASSIFICATION (ASTM E84) Source: Underwriters' Laboratories, Inc.			
Panel	Flame Spread	Smoke Developed	
Unfitted Painted or Unpainted	20	15	0

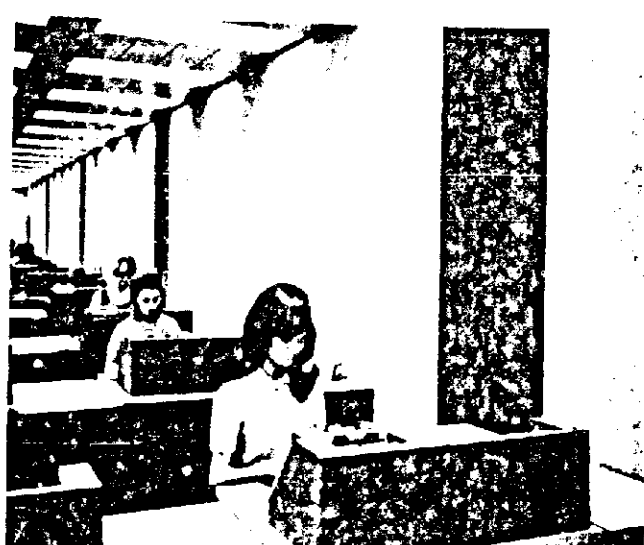
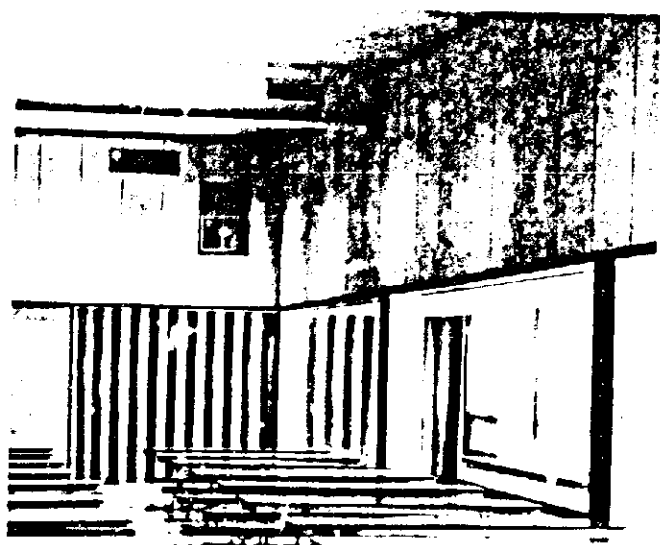
EXPANSION AND CONTRACTION
Tectum, when tested in the specified manner, does not exceed the maximum linear expansion requirement (0.5 of 1%) shown in Federal Specification LLL I-535 dated November 7, 1960.

INSULATION
For a structural material, Tectum has high insulating

value. The Tectum insulating values are based on a "K" Factor of 57.

RECOMMENDATIONS
On new wall installations, the basic construction itself must be sufficient to obtain the desired overall sound transmission resistance level.
The building in which the Tectum Panels are to be erected should be closed in and, in cold seasons, heating should be in operation prior to installation.
Material should be located at the job site for at least 24 hours prior to application so that it can adjust to equilibrium in temperature and moisture.
Tectum Panels should not be used in areas where they may be exposed to water or where conditions permit condensation to form within the Tectum panel.
Because of the thickness tolerance, square edge panels should not be butted together. Square edge panels should be spaced a minimum of 1" with a raised or recessed batten.

INSTALLATION AND USES
For New or Remodeled Interiors of commercial, public or institutional buildings, one inch thick Tectum Panels can be applied to wall surfaces by nailing to furring or by adhering direct to wall. Where painting of Tectum Panels is desired, spray application of alkali-resistant latex paint is recommended. Up to four coats of spray-applied paint have no adverse effect on the sound absorption value of Tectum. All other thicknesses must be mechanically fastened. Nailing to furring is recommended where the existing wall surface is in poor condition, or where maximum sound absorption is to be obtained, or where maximum sound absorption is to be obtained by supplementing with glass fiber type batt insulation in the cavity between furring strips. Common nails should provide not less than 3/4" penetration into the furring with the nail driven at a 45° angle to the



Tectum surface and countersunk with a nail set. Nails should be located not less than 3/4" from the panel edges. Allowable spans and nail spacing should not exceed the limits given in the following table.

Thickness	Span	Fasteners Required		
		Nominal 24 width	Nominal 32 width	Nominal 48 width
1"	48"	2	4	4
1 1/2"	72"	2	3	4
2"	96"	2	3	3
2 1/2"	108"	2	3	3
3"	120"	2	3	3

* 1 1/2" Sidelap and Partition Panels may be applied with TWC clips screwed or nailed to wood furring.
** 2" Sidelap and Partition Panels may be applied with TWC clips screwed or nailed to wood furring.

With both the nailing and the adhesive application method, it is necessary that the Tectum Panel rest on a wood plate that will serve as a positive support for the

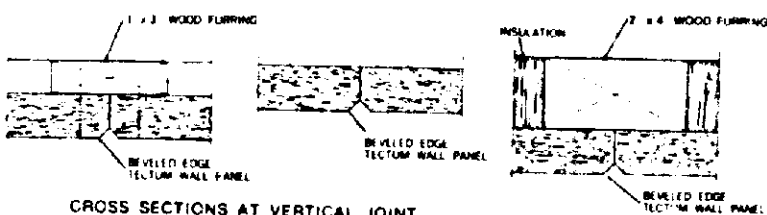
Tectum Panel and as a nailer for finish baseboard or floor carpeting flashed up the wall.

For adhesive application use a quality panel adhesive of caulking consistency (Gold Bond Modified Contact Adhesive or Gold Bond Valiobond/Fanel Adhesive). The beads of adhesive shall be continuous, 3/4" diameter placed across the top and lengthwise a maximum of 12" o.c. The beads of adhesive shall be applied approximately 1 1/2" in from panel edges and top to prevent squeeze-out from behind the panel. After removing dirt and loose paint from the wall surface and applying adhesive to the panel, press the panel firmly against the adhesive transfer to wall surface and again press panel wall. Immediately after, pull panel away and check into position permanently. Top and bottom nailing is recommended, using finishing nails driven at a 45° angle and countersunk with a nail set. Where necessary to maintain proper edge alignment, additional nails should be used. These panels must also be permanently supported across the base by a mechanically fastened wood plate of appropriate thickness.

TECTUM PANELS Sound Performance

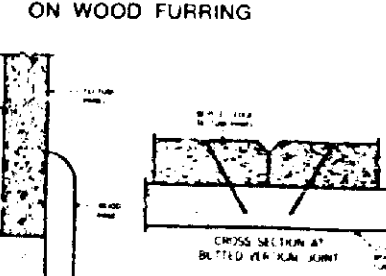
Thick.	Mtg.	Absorption Coefficients Hz						NRC Range	NGC Test No.
		125	250	500	1000	2000	4000		
1"	2	.08	.14	.27	.57	.58	.63	35 - 45	#7309
	4	.07	.12	.24	.44	.70	.54	35 - 45	#7302
	8	.18	.33	.66	.90	.71	.90	75 - 85	#7255
1 1/2"	2	.09	.16	.36	.70	.49	.78	40 - 50	#7303
	4	.09	.14	.31	.65	.66	.64	40 - 50	#7167
	8	.12	.20	.48	.80	.62	.94	45 - 55	#7306
2"	2	.13	.20	.50	.70	.58	.72	45 - 55	#7308
	4	.12	.20	.48	.80	.62	.94	45 - 55	#7166
	8	.14	.28	.63	.87	.62	.80	55 - 65	#7308
2 1/2"	2	.14	.29	.77	.67	.80	.85	60 - 70	#7308
	4	.13	.28	.63	.87	.62	.80	55 - 65	#7165
	8	.14	.32	.78	.82	.84	.91	60 - 70	#7307
3"	2	.14	.32	.78	.82	.84	.91	60 - 70	#7307
	4	.18	.32	.82	.82	.75	.88	60 - 70	#7164

MOUNTING TYPES



Mounting No. 2
Nailed to metal 1" x 3"
wood furring, 24" o.c.
Mounting No. 4
Applied to masonry wall of
24" o.c. 2" x 4" per ft. 1/2"
in cavity between furring strips.
Mounting No. 8
Applied to wood furring 24" o.c.
2" x 4" per ft. 1/2" in cavity
between furring strips.

TECTUM WALL PANELS ON WOOD FURRING



TECTUM PANELS FOR SOUND CONTROL

Industrial

INSTALLATION AND USES

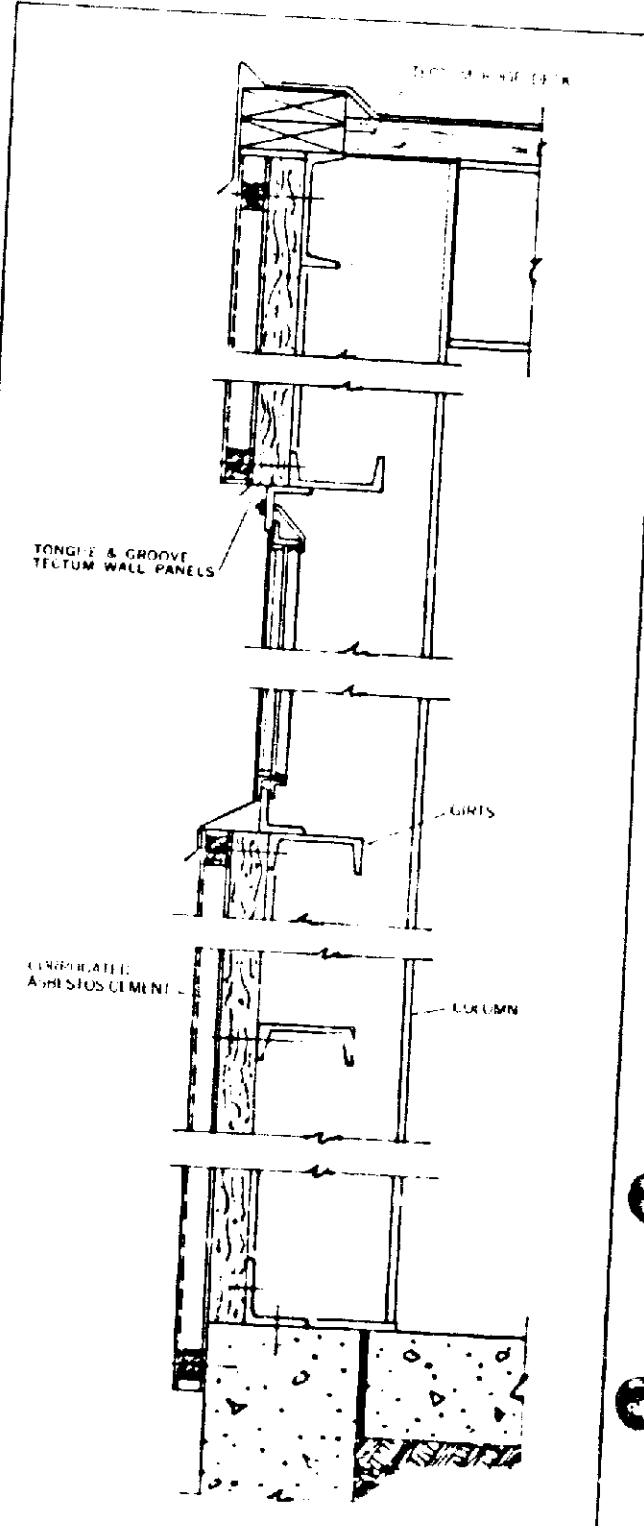
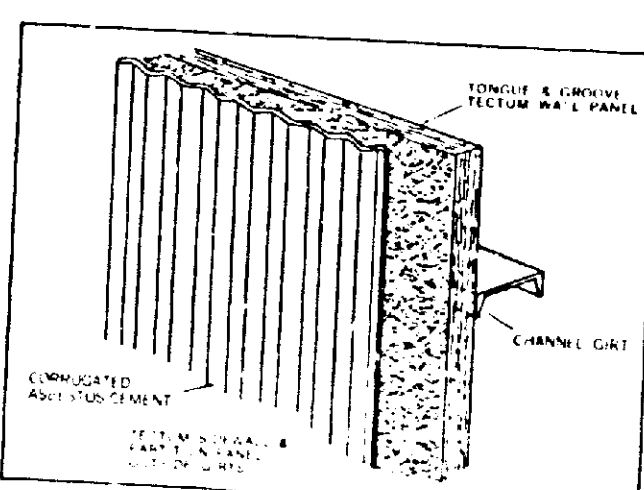
For New Industrial Construction, Tectum Sidelap and Partition Panels are generally installed outside the girts and directly under the siding. T&G Panels are placed block to block and moved into position with a driving block to assure a snug fit. For application direct to steel girts, Type S-25 screws are recommended.

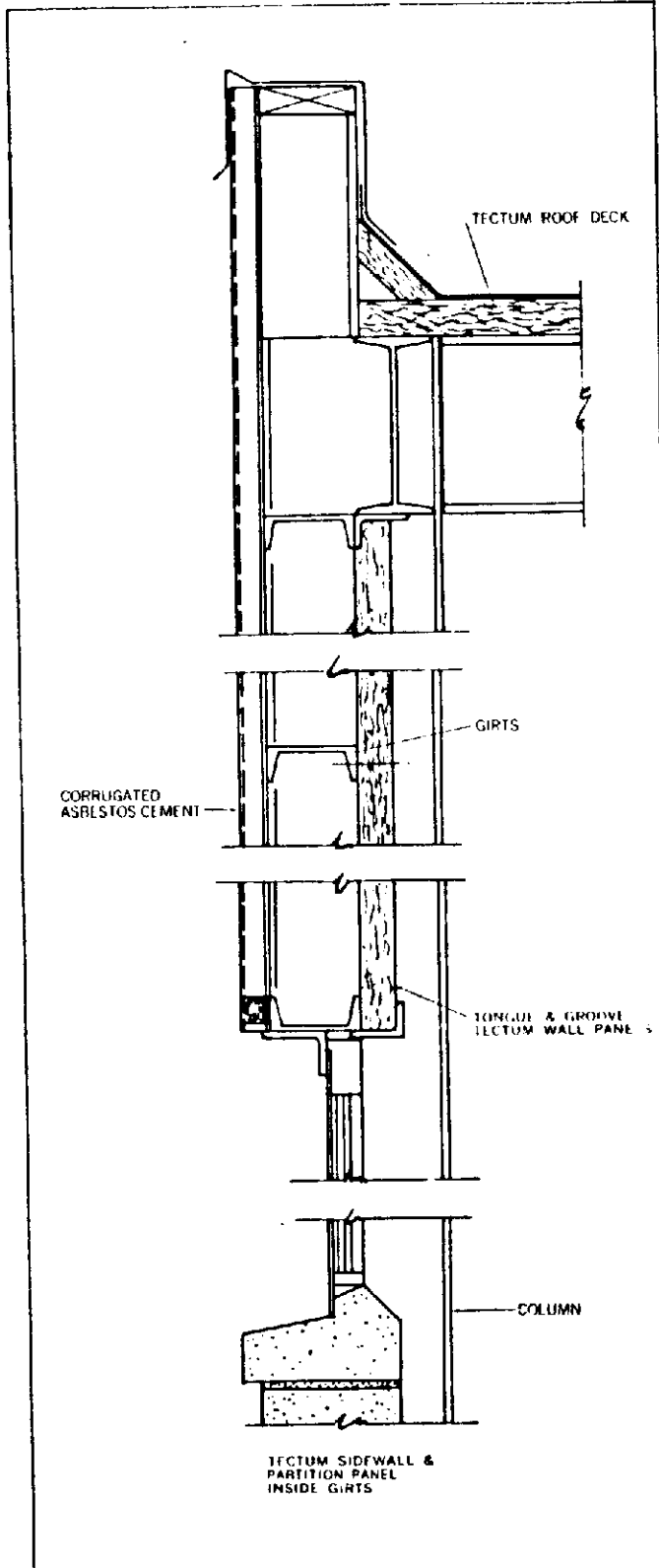
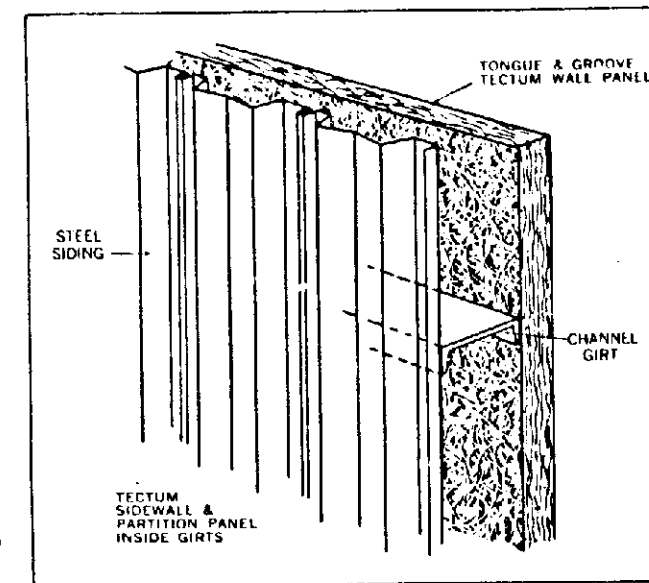
A ply of asphalt saturated roofing felt is factory applied and should be placed to the exterior side. When a breathing type exterior siding is used, such as uncoated asbestos-cement, Tectum joints should be either caulked or covered with 6" wide strips of No. 15 asphalt saturated felt applied with asphalt plastic cement.

Application of exterior siding must be coordinated with installation of Tectum to insure that panels are not exposed to precipitation which may cause staining of fasteners may be limited to those required to hold Tectum Panels in place temporarily. Spacing of girts is determined by the span capability of the facing material. When used under metal facing on spans exceeding those in the following table, Tectum must be bolted to provide support at the intervals recommended. Tectum beveled T&G Panels may also be applied over the interior flange of girts, for an uninterrupted interior wall effect.

Thickness	Span	Fasteners Required		
		Nominal 24 width	Nominal 32 width	Nominal 48 width
1 1/2"	72"	2	3	3
2"	96"	2	3	3
2 1/2"	108"	2	3	3
3"	120"	2	3	3

* 1 1/2" thick 24" wide Plank may be applied to inside of girts with TWC clips screwed or nailed to metal girts.
** 2" thick 24" wide Plank only may be applied to - side of girts with TWC clips screwed or nailed to metal girts.





TECTUM WALL PANEL DIMENSIONS					
Type	Thickness	Areas Served from Newark, Ohio		Areas Served from Arkadelphia, Ark.	
		Width	Length	Width	Length
Sidewall and Partition Panels Bevel T&G Edges Square Ends	1 1/2" 2" 3"	22 1/2", 30", 46 1/2"	72" to 144"	23 1/2", 31 1/4", 48"	72" to 144"
General Purpose Board Bevel Butt or Square Butt Edges Square Ends	1 1/2" 2" 3"	23 1/4", 31 1/4", 47 3/4"	48" to 144"	24", 32", 48"	48" to 144"
Interior Panels Beveled Long Sides Only, or Square 4 Sides	1"	23 1/4", 31 1/4", 47 3/4"	72" to 144"	24", 32", 48"	72" to 144"

Tolerances: Thickness $\pm 1/16"$, $-1/16"$ Dimensions $\pm 1/8"$, $-1/16"$

SPECIFICATIONS - TECTUM WALL PANELS

SCOPE:

The work covered by this section of the specification consists of furnishing labor, equipment, and materials for installation of Tectum Panels in accordance with the specifications and drawings.

MATERIALS:

a) Tectum Panels shall consist of wood fibers and a hydraulic cement binder molded under controlled conditions of heat and pressure.

b) The panels shall be noncombustible (flame spread of 25 or less as classified by Underwriters' Laboratories, Inc., Guide No. B791).

c) Panels shall be: (Tectum Interior Panels (bevel butt) (square butt) (Tectum General Purpose Board (1 1/2") (2") (2 1/2") (3") (bevel butt) (square butt) (Tectum Sidewall and Partition Panels, beveled tongue and groove), Width Length

d) The wall, including Tectum, shall have a "U" value of

e) The panels shall have a Noise Reduction Coefficient range of (35-45) (40-50) (45-55) (55-65) (60-70) (75-85). Mounting type shall be No.

f) The outer surface of the panel (shall have) (shall not have) a factory-applied asphalt felt.

g) The panels shall have an approximate weight per square foot of: (1 1/2"-1.7 lbs.) (1 1/2"-2.7 lbs.) (2"-3.6 lbs.) (2 1/2"-4.6 lbs.) (3"-5.5 lbs.)

h) Gold Bond Modified Contact Adhesive.

i) (TWC) (TRC-1A) clips shall be 18 ga. galv. steel.

INSTALLATION: COMMERCIAL, INSTITUTIONAL

INTERIOR WALL - ADHESIVE APPLICATION:

a) Tectum Panels shall be 1" thick and be (square butt) (bevel butt) on two long edges.

b) Panels shall be applied using quality panel adhesive of caulking consistency with bead size and spacing in accordance with panel manufacturer's recommendations. Supplemental nailing using finish nails top and bottom is required.

c) Panels shall be supported by an angle or wood plate at the base of appropriate thickness.

d) Applied panels shall be examined and any defective units shall be removed and replaced.

INTERIOR WALL - MECHANICAL FASTENING TO FURRING:

a) Panels shall be fastened at each furring section with (nails or screws spaced in accordance with manufacturer's recommendation. Nails or screws shall be countersunk below the Tectum surface) [(TWC) (TRC-1A) clips nailed or screwed to furring]

b) Tectum Panels shall have the square cut ends butted tightly so joints will fall on center lines of furring. Long edges shall be tightly butted.

c) Panels shall be supported by an angle or wood plate of appropriate thickness.

d) The applied panels shall be examined and any defective units shall be removed and replaced.

INSTALLATION: INDUSTRIAL

EXTERIOR WALL GIRTS

a) Tectum Panels shall have the square cut ends butted tightly so joints will fall on center lines of girts. The unsupported edges shall be tightly fitted.

b) Panels shall be fastened at each girt with self-tapping screws or other approved methods. Number of screws shall be in accordance with panel manufacturer's recommendations. Screws shall be driven flush with the Tectum surface.

c) Tongue & Groove Panels should be secured with the tongue edge leading. A driving block placed against the tongue and driven with a sled must be used to ensure a tight fitting joint and pre- damage to panels.

d) Panels shall be supported by an angle or wood plate of appropriate thickness.

e) The applied panels shall be examined and any defective units shall be removed and replaced.

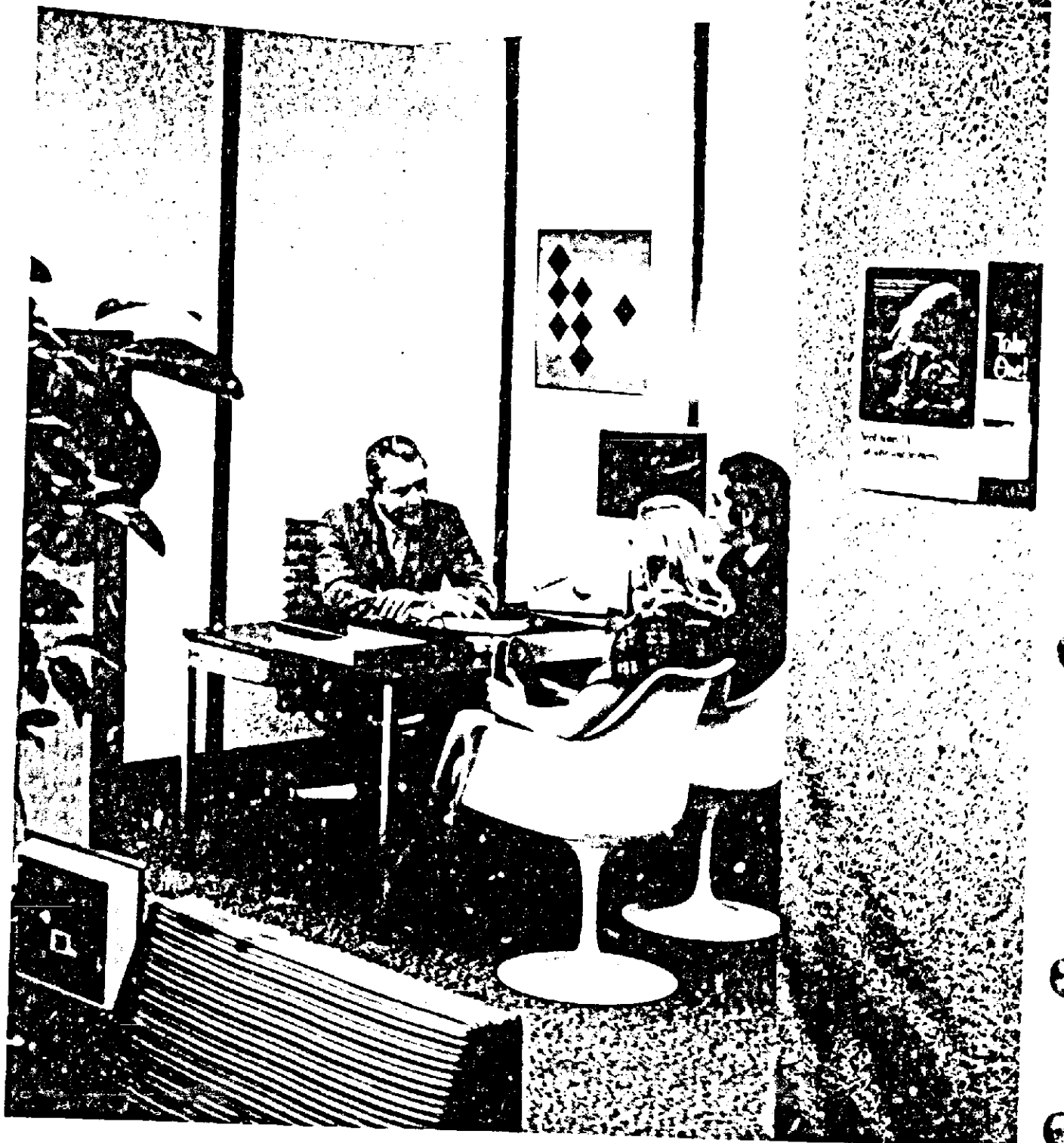
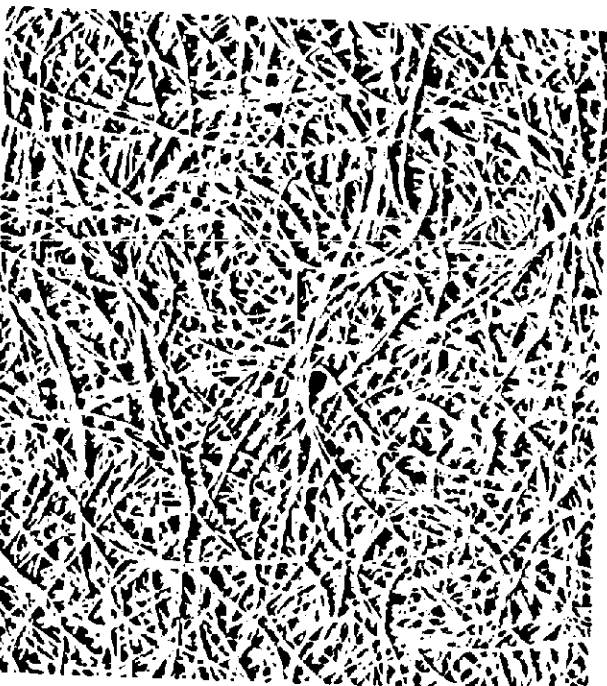
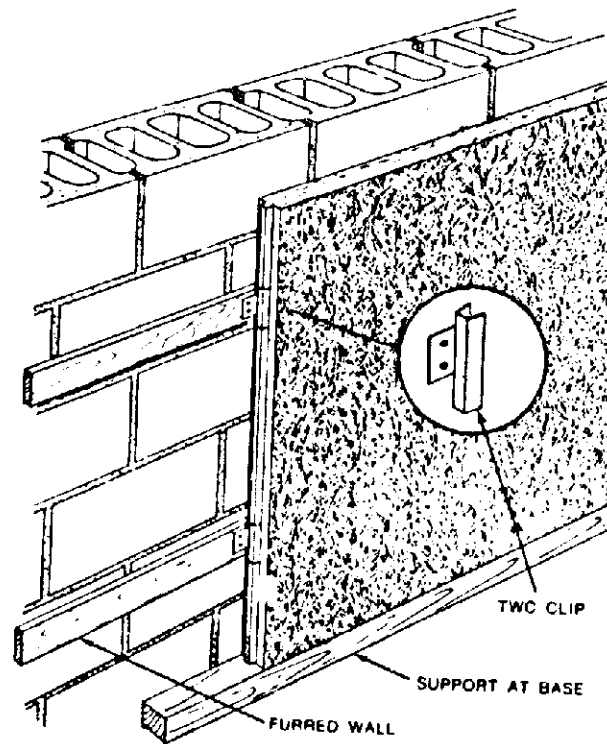
f) All panels installed in one day shall be protected from rain or other inclement weather which may damage the units. This shall be done preferably by installing the protective siding from floor to roof. Other suitable means may be used at the contractor's option.

Notes to Specifier:

1) If application of exterior facing is to be included in this division, add appropriate paragraphs to cover the installation of exterior siding.

2) Steel girts shall be accurately positioned to allow bearing of 1/4" for each panel at butt joints.

3) When girt spacing exceeds maximum spans shown in Table on page 4, specify fastening of Tectum to siding with bolts located 3" from each vertical Tectum edge and spaced to provide support at the intervals recommended.



Gold Bond GOLD BOND BUILDING PRODUCTS
DIVISION OF NATIONAL GYPSUM COMPANY • BUFFALO, NEW YORK 14202

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 30, 1981

Carl Berenholtz, Esquire
818 W.R. Grace Building
Baltimore, Maryland 21202

RE: Item No. 22 - Cycle No. 1
Petitioner - Alida Corp.
Reclassification Petition

Dear Mr. Berenholtz:
This is to advise you that 177.15 is due for the first advertising of the above property. Two additional bills will be forwarded to you in the near future. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

VEH:mc

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

DATE 8/7/81 ACCOUNT 01-662

AMOUNT \$77.15

RECEIVED FROM: Butler Bow & Bowhunting

For: 1st Advertising of Item 22 - Cycle 1

77.15

VALIDATION OR SIGNATURE OF CASHIER

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

DATE 12/5/81 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM: Carl Berenholtz, Atty.

For: Filing Fee for Case #R-82-143 (Alida Corp.)

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES OF
CARL BERENHOLTZ
SUITE 808
W. R. GRACE BUILDING
10 E. BALTIMORE STREET
BALTIMORE, MARYLAND 21202

PHONE (301) 847-8080
RES. PHONE (301) 252-7478

December 3, 1981

Board of Appeals
Room 206, Court House
Towson, Maryland 21204

Re: Petition for Re-classification
S/s Frederick Road
Alida Corporation - Petitioner
Case #R-82-143

Gentlemen:

In connection with the above entitled case, please subpoena Detective Sergeant Norman Peppersack, Maryland State Police, Firearms License Section, to appear to testify in Room 218, Court House, Towson, Maryland, on Wednesday, December 16, 1981, at 10 a.m. He is to bring all books and records concerning the licensing of hand guns in Maryland for the last three years.

Very truly yours,

Carl Berenholtz
Carl Berenholtz

Mr. Sheriff:

Please issue the above summons.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately.

RE: Non-Jury Trial - 82-143 - THE PROLES COUNSEL FOR BALTIMORE COUNTY, ET AL VS COUNTY BOARD OF APPEALS
HEARING DATE: Monday, September 27, 1982 09:30 a.m.
ON THE FOLLOWING: Appeals 1 Hour

FROM: John Adams - 494-2860
ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bayley Avenue
P.O. Box 6754
Towson, Maryland 21204-0754
JULY 9, 1982

John V. Hinesman, III, Esq.
Peter Max Zimmerman, Esq.

June Holman

Sandy Sanders - 494-2860
ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bayley Avenue
P.O. Box 6754
Towson, Maryland 21204-0754
JUL 12 1 04 PM '82

SETTLEMENTS: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately.

RE: Non-Jury Trial - 82-147 - ALIDA CORP. VS COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY, ET AL
HEARING DATE: Wednesday, August 19, 1982 09:30 a.m.
ON THE FOLLOWING: Appeals 2 Hours

FROM: John Adams - 494-2860
ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bayley Avenue
P.O. Box 6754
Towson, Maryland 21204-0754
JULY 7, 1982

John V. Hinesman, III, Esq.
Peter Max Zimmerman, Esq.

June Holman

Sandy Sanders - 494-2860
ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bayley Avenue
P.O. Box 6754
Towson, Maryland 21204-0754
JUL 12 1 04 PM '82



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204

TEL 494-2188

JOHN W. HESSIAN, III
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

June 3, 1982

Ms. Joyce Grimm, Director
Circuit Court Assignment Office
Courts Building
Towson, Maryland 21204

RE: Alida Corporation - Misc. #82-M-47;
Universal Security Instruments - Misc.
#82-M-64; and Pinkner - Misc. #82-M-3

Dear Ms. Grimm:

The above cases are set in for hearing, as follows:

Alida - Tuesday, June 29, 1982, 9:30 am.

Universal Security Instruments -
Tuesday, June 29, 1982, 9:30 am.

Pinkner - Friday, July 9, 1982, 9:30 am.

Unfortunately, I will be on vacation from June 28th until July 9th and, therefore,
respectfully request that they be rescheduled to a subsequent date.

Very truly yours,

Peter Max Zimmerman
Deputy People's Counsel

cc: Carl Berenholtz, Esquire
Anthony P. Palagos, Esquire
Richard Ferber, Esquire
John P. Machen, Esquire
John B. Howard, Esquire

PMZ:sh

March 12, 1982

BILLED TO: Carl Berenholtz, Esq.
808 W. R. Grace Bldg.
Baltimore, Md. 21202

Cost of certified documents filed
in Case No. R-82-143 \$ 8.00

Alida Corporation
S/S of Frederick Rd. 265' W of
Bloomsbury Ave.
1st District

MAKE CHECKS PAYABLE TO: Baltimore County, Md.

REMIT TO: County Board of Appeals
Rm. 200, Court House
Towson, Md. 21204

RECEIVED
BALTIMORE COUNTY
MAY 17 10 44 AM '82
CITY CLERK
BY: CLERK

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 26, 1981

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on the
1st day of November, 1981, the 16th day of
November, 1981.

THE JEFFERSONIAN
Manager

Cost of Advertisement \$ 17.50

PETITION FOR RE-CLASSIFICATION

ZONING: Petition for Re-Classification
LOCATION: South side of Frederick Road, 265 ft. West of Bloomsbury Ave.
DATE & TIME: Wednesday, December 16, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:
Present Zoning: B.L.
Proposed Zoning: B.R.
All that parcel of land in the First District of Baltimore County beginning for the same at a point on the south side of Frederick Road at a distance of 265' from the intersection formed by the south side of Frederick Road and the west side of Bloomsbury Avenue binding on the south side of Frederick Road 8 1/4' 29' W 78.5' thence leaving the south side of Frederick Road 8 1/4' 29' W 78.5' thence N 74° 02' E 157' thence northwesterly 157' to the place of beginning.
Containing 0.26 Acres of land more or less.
Being known as 725-729 Frederick Road.

By Order of
WILLIAM T. HACKETT,
Chairman County Board of Appeals of Baltimore County
Nov. 26

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

No. 85096

DATE March 17, 1982 ACCOUNT 01.712

AMOUNT \$8.00

RECEIVED Co. Berenholtz, Esq., 808 W. R. Grace Bldg., (21202)

FOR Case No. R-82-143, Alida Corporation

B 0169*****6001 6173F

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR RE-CLASSIFICATION

1st DISTRICT

ZONING: Petition for Re-classification
LOCATION: South side of Frederick Road, 265 ft. West of Bloomsbury Ave.
DATE & TIME: Wednesday, December 16, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

Present Zoning: B.L.
Proposed Zoning: B.R.

All that parcel of land in the First District of Baltimore County

Being the property of Alida Corporation, as shown on plat plan filed with the Zoning Department

Hearing Date: Wednesday, December 16, 1981 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Date of Posting: 11-30-81
Posted for: Re-classification
Petitioner: Alida Corporation
Location of property: S/S of Frederick Road, 265' W of Bloomsbury Ave.
Location of Signs: Front window of subject property, south side of Frederick Road
Remarks: As shown on plat plan filed with the Zoning Department
Posted by: J. J. [Signature]
Number of Signs: 1
Date of return: 12-4-81

E. F. RAPHEL & ASSOCIATES
Regional Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

March 2, 1981

Description to Accompany Petition
for Reclassification
725-729 Frederick Road

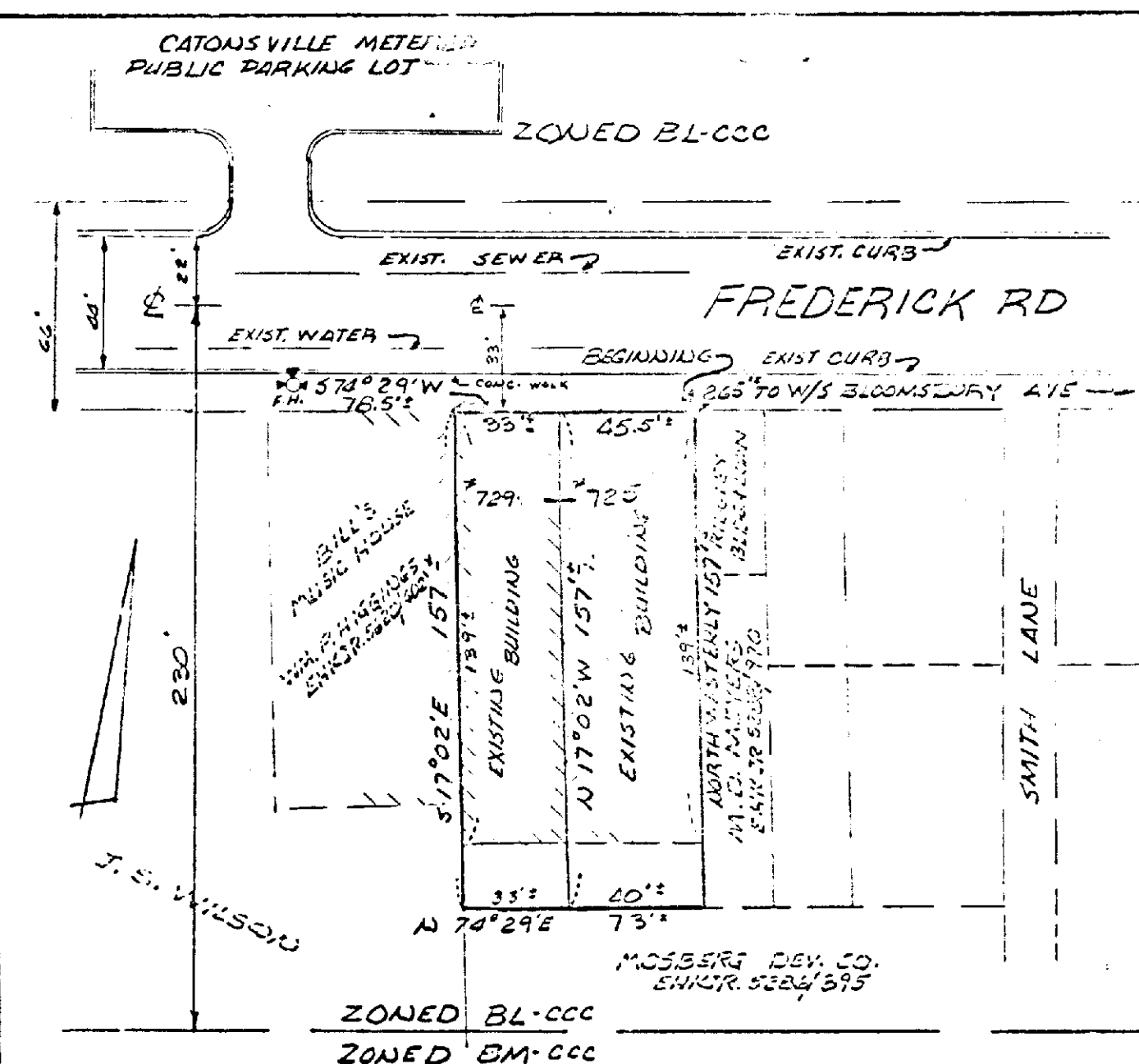
Beginning for the same at a point on the south side of Frederick Road at a distance of 265' from the intersection formed by the south side of Frederick Road and the west side of Bloomsbury Avenue binding on the south side of Frederick Road 8 1/4' 29' W 78.5' thence leaving the south side of Frederick Road 8 1/4' 29' W 78.5' thence N 74° 02' E 157' thence northwesterly 157' to the place of beginning.

Containing 0.26 Acres of land more or less.

Being known as 725-729 Frederick Road.



E. F. Raphael
Eugene F. Raphael
Registered Professional Land Surveyor
No. #2246



GENERAL NOTES
AREA OF PROPERTY 0.26462
EXISTING ZONE BL-CCC
PROPOSED ZONE BR
COUNCILMAN/DISTRICT #1



E. F. RAPHEL & ASSOCIATES
Regional Professional Land Surveyors
201 Courtland Avenue
Towson, Maryland 21204

PLAT TO ACCOMPANY ZONING
PETITION FOR RECLASSIFICATION
725-729 FREDERICK RD
1st DIST. BALTO. CO. MD.
SCALE 1"=50' FEB. 27, 1981