

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER 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 for a Variance from Section 409.2.a.(2), to permit parking and storage area to have a crusher run surface instead of the required surface (macadam, tar and chip, etc.) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Parking area has existed as crusher run for many years and has worked well that way. We see no reason to pave the lot at this time.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:

Legal Owner(s):
Janet E. Davis
(Type or Print Name)
Signature
(Type or Print Name)
Signature
205 E. Belcrest Place 879-6150
Address Phone No.
Bel Air, Maryland 21014
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of May, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of June, 1982, at 11:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER 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 for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a trailer camp and a reduction in lot area from Case 2872RS by deleting the area utilized as a gas station (Section A) and to amend the site plan in Case #74-75RSP by allowing a change in the area deleted from Case 2872RS for trailer sales (Section C).
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:

Legal Owner(s):
Janet E. Davis
(Type or Print Name)
Signature
(Type or Print Name)
Signature
205 E. Belcrest Place 879-6150
Address Phone No.
Bel Air, Maryland 21014
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of May, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of June, 1982, at 11:00 o'clock A.M.

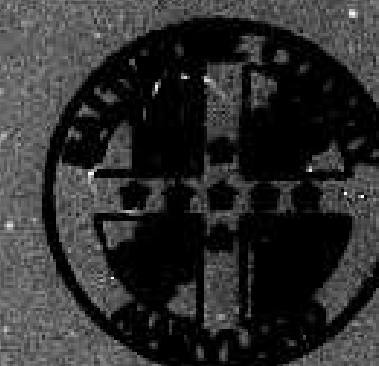
[Signature]
Zoning Commissioner of Baltimore County.

ECO-No.1 (over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Calhoun
Administrator

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Re: Existing New Access
W/S Belair Rd. (Route 1-N)
2025+ N/W of Sunshine Ave.
Item #115

Dear Mr. Hammond:

The State Highway Administration has reviewed a site plan and forwarded written comments to Baltimore County on December 28, 1981 and January 18, 1982 about this site.

The in common access for section "B" through Section "D" has been eliminated.

Access to Section "B" is now by way of a gravel entrance through Section "C".

The State Highway Administration will require the entrance to be channelized to meet State standards through an S.H.A. access permit.

We would appreciate any assistance you could afford us in this matter.

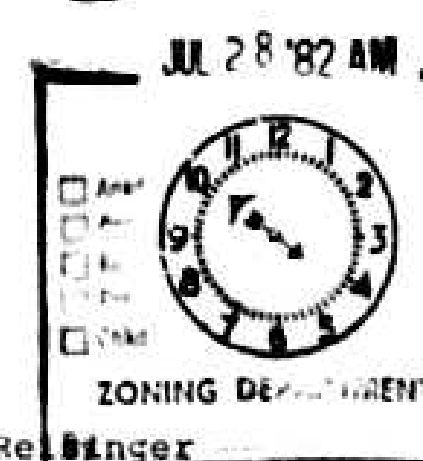
Very truly yours,

[Signature]
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:vr

cc: Mr. J. Reinger
Zoning Enforcement Section



My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech
365 7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21201 5/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
Zoning Commissioner
Date: June 14, 1982

FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Petition No. 82-280-SpHA

SUBJECT: Petitioner: Janet E. Davis

There are no comprehensive planning factors requiring comment on this petition. However, this office would suggest that if the finding is that a non-conforming use exists here, there might be no need to grant the requested variance regarding paving. With an eye to possible future petition, this office would prefer that such a variance not be granted.

[Signature]
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:dme

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 11, 1982

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

cc: Nicholas B. Commodari
Chairman

MEMBER:
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Plan Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mrs. Janet E. Davis
205 E. Belcrest Place
Belair, Maryland 21014

RE: Item No. 115
Petitioner - Janet E. Davis
Special Hearing & Variance Petitions

Dear Mrs. Davis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the non-conforming action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to amend the previous hearings (Case #2872-RS and #74-75-RSP) covering the subject property and prove that the existing trailers are nonconforming uses, the special hearing is required, while a variance to the paving requirements is also included. The existing service station immediately adjacent to this property was included in the previous hearings, but since it has been sold, it was not included in this request.

Particular attention should be afforded to both sets of comments from the Health Department and those of the Department of Permits and Licenses.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

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

ENCLOSURE



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 21, 1982

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

Re: Item #115 (1981-1982)
Property Owner: Janet E. Davis
1/MS Belair Road 2,025' N/E of Sunshine Ave.
Acres: 260/279.90 x 275/283.45
District: 11th

Dear Mr. Hammond:

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:

The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property for Item 27, Zoning Cycle V (April-October 1973), 74-75 RSPH are referred to for your consideration.

Subdivision and re-subdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

This office has no further comment in connection with this Zoning Advisory Committee review of this property for this Item #15 (1981-1982).

Very truly yours,

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

RAM:EAM:FWR:ss

cc: Jack Wimbley

Q-NE Key Sheet
58 NE 38 Pos. Sheet
NE 15 J Typo
55 Tax Map

Attachment

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

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

April 26, 1973

Bureau of Engineering
ELLSWORTH M. DIVER, P.E., Chief
Mr. C. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #27 (April to October 1973 - Cycle V)
Property Owners: Robert and Katherine Micucci
W/S of Belair Road, 2025' N. of Sunshine Ave.
Present Zoning: B.L.
Proposed Zoning: Reclass. to B.M.; Special Hearing to delete a portion of the Special Exception for gasoline service station and cabin camp granted under Case No. 2872
District: 11th No. Acres: 1.80

Dear Mr. DiNenna:

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

Highways:

Belair Road is a State Road; therefore, all improvements on this road will be subject to State Highway Administration requirements.

Storm Drainage:

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

Belair Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

This site may be affected by backwater from the existing culvert under Belair Road, 150 feet south of the site.

Sediment Control:

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

Item #27 (April to October 1973 - Cycle V)
Property Owners: Robert and Katherine Micucci
Page 2
April 26, 1973

Water and Sanitary Sewers:

Public water supply and sanitary sewers are not available to serve this property, which is utilizing private onsite facilities.

Very truly yours,
Ellsworth M. Diver
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EAU:MMG:iss

Q-NE Key Sheet
59 NE 35 Pos. Sheet
NE 15 J Topo Sheet
55 Tax Map



Lowell K. Bridwell
Secretary
M. S. Caltrider
Administrator

January 18, 1982

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 12-28-81
ITEM: 115
Property Owner: Janet E. Davis
Location: NW/S Belair Rd.
(Route 1-N), 2025' N/E of
Sunshine Ave.
Existing Zoning: B.M.
Proposed Zoning: Special
Hearing to approve a non-
conforming use of a trailer
camp and a reduction in lot
area for a service station
and cabin camp from Case
#2872, and a variance to
permit parking and storage
area (campers) to be crusher
run surface in lieu of the
required paving.
Acres: 280/279.90 X 275/
283.45
District: 11th

Dear Mr. Hammond:

On review of the plan and field inspection, the State Highway Administration offers the following comments:

The State Highway Administration will require the plan to be revised to show the existing 60' R/W and the proposed 80' R/W.

If the site is found not to be a non-conforming use and approval is granted then the frontage of Section "C" will have to be improved to meet current State Highway Administration standards.

January 18, 1982

This would include a channelized entrance (radius return type) with S.H.A. type "A" concrete curb and gutter parallel to the edge of the existing roadway and 26' from the centerline of Belair Road.

The existing headwall to pipe between the proposed curb and the existing rear curb must be shown on the revised plan.

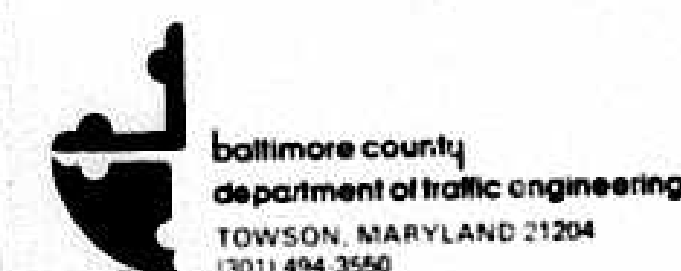
It is requested that the plan be revised prior to a hearing date.

Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:vrld

cc: Mr. J. Wimbley



STEPHEN E. COLLINS
DIRECTOR

April 8, 1982

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

Item No. 115 - ZAC - Meeting of December 28, 1981
Property Owner: Janet E. Davis
Location: NW/S Belair Road 2,025' N/E of Sunshine Avenue
Existing Zoning: B.M.
Proposed Zoning: Special Hearing to approve a non-conforming use of a trailer camp and a reduction in lot area for a service station and cabin camp from case #2872, and a Variance to permit parking and storage area (campers) to be crusher run surface in lieu of the required paving.
Acres: 280/279.90 X 275/283.45
District: 11th

Dear Mr. Hammond:

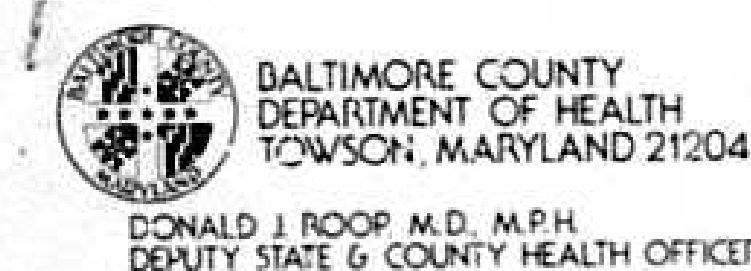
The clearance to this site is subject to the State

Highway Administration's approval.

Sincerely,

Michael S. Flanagan
Michael S. Flanagan
Engineering Associate II

MSF/r1j



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

February 22, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 115, Zoning Advisory Committee Meeting of December 28, 1981, are as follows:

Property Owner: Janet E. Davis
Location: NW/S Belair Road 2,025' N/E of Sunshine Avenue
Existing Zoning: B.M.
Proposed Zoning: Special Hearing to approve a non-conforming use of a trailer camp and a reduction in lot area for a service station and cabin camp from case #2872, and a Variance to permit parking and storage area (campers) to be crusher run surface in lieu of the required paving.

Acres: 280/279.90 X 275/283.45
District: 11th

There is one well on the property that serves the existing occupied trailer, service station, motel and stone dwelling. The well is drilled and appears to be in good physical condition. The trailer sales office has no plumbing facilities; the employees using the bathroom facilities in the adjacent service station.

The building housing the service station and two apartments is served by one septic system, which discharges sewage to a storm drain. The septic system serving the stone house does not appear to be failing at the present. The motel, consisting of 6 units is served by a failing septic system that discharges sewage to the ground surface in the vicinity of the northern property line. The existing trailer is served by a septic system which discharges sewage to an adjacent stream. This particular septic system is also utilized by the additional four trailer spaces shown on the plan submitted by the owner, which are presently vacant.

There are springs in the vicinity of the property and this Department's prior experience in the area has found adequate corrections of failing septic systems difficult to obtain. Therefore, due to the failing septic

Mr. William E. Hammond
February 22, 1982
Page 2

systems serving the property, the four vacant trailer spaces may not be occupied until the septic system serving them, which is presently failing, has been properly reconstructed, under the supervision and approval of the Baltimore County Department of Health. The existing occupied trailer located at the southwestern property corner will be allowed to remain since it has obviously been parked at the site and occupied for an extended length of time.

In view of the numerous septic system failures on the site, any building permit that will increase the living space, occupancy, add additional plumbing fixtures or in any way increase the potential occupancy and consequently increase sewage flows, will not be approved by this Department until such a time as all of the septic system failures on the property are corrected. Furthermore, until the septic system overflows are abated, any further subdivision of this land will not be permitted. The septic systems must be corrected as per all requirements set forth by the Baltimore County Department of Health and under the supervision of a representative of this office.

If you have any questions regarding this matter, contact this office at 494-2762.

Very truly yours,

Jan J. Forrest
Jan J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF:ru

cc: Janet E. Davis
205 East Belcrest Place
Belair, MD 21014

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 8, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 28, 1981

RE: Item No. 110, 111, 112, 113, 114, 115, 116
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/bp



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

March 22, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 115, Zoning Advisory Committee Meeting of December 28, 1981, are as follows:

Property Owner: Janet E. Davis
Location: NW/4 Belair Road 2,025' N/E of Sunshine Avenue
Existing Zoning: B.M.
Proposed Zoning: Special Hearing to approve a non-conforming use of a trailer camp and a reduction in lot area for a service station and cabin camp from case #2872, and a Variance to permit parking and storage area (campers) to be crusher run surface in lieu of the required paving.
Acres: 280/279.90 X 275/283.45
District: 11th

There has been no significant increase to air pollution in this area relative to this operation, however, the owner is directed under Regulations to Control Air Pollution in the State of Maryland to:

1. Repair all road surfaces to include macadam in such a condition that actual or potential airborne particulate matter be prevented from becoming airborne.
2. Apply an appropriate amount of crusher run on Section C, repave, clean and/or apply dust suppressants as necessary to prevent emissions from becoming airborne.

Very truly yours,

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als

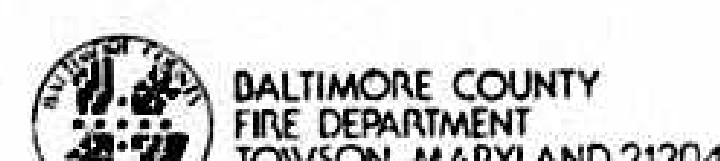
RE: PETITIONS FOR SPECIAL HEARING : BEFORE THE
AND VARIANCE : ZONING COMMISSIONER
NW/4 of Belair Road, 2,025' NE :
of Sunshine Avenue - 11th : OF
Election District :
Janet E. Davis - Petitioner : BALTIMORE COUNTY
NO. 82-280-SPHA (Item No. 115) :
::: :::: :::: :::: :::: ::::

The petitioner herein, Janet E. Davis, seeks to establish the existence of a nonconforming use for a trailer camp; to amend the site plan filed in Case No. 2872-RS by deleting the area designated for, and subsequently utilized as, a gas station (Section A); and to amend the site plan filed in Case No. 74-75-RSPH to allow trailer sales in the area deleted from the site plan filed in Case No. 2872-RS (Section C) and, additionally, a variance to permit a crusher run surface in lieu of the required durable and dustless (macadam, tar and chip, etc.) surface for parking and storage areas. The subject property is located on the northwest side of Belair Road, northeast of Sunshine Avenue and contains 1.70 acres of land, more or less.

Mrs. Davis' husband testified that when he first became familiar with the property about 28 years ago, the entire site contained a Shell service station, some cabins, a campground, and a stone house. In 1975, he became interested in purchasing the property which then contained the gas station selling Gulf gas and oil products with an apartment on the second floor and automobile storage in the rear. He remembered six or eight travel trailers, a mobile home with wheels and an attached addition, a building containing six rooms with a boiler room, a stone house, and an area for trailer sales paved with crusher run. Additionally, the cabins had been razed and the existing motel constructed. On cross-examination, Mr. Davis acknowledged that he was only 13 years old in 1954, the year he first became familiar with the site, but that he does remember many trees, stone buildings which were the cabins, and people camping in tents. He further stated that the property was still zoned B.M. (Business, Major) and that the same improvements exist, with one additional building for trailer sales, and that the gasoline service station, together with the original driveway and an easement established for well and septic system use, were sold, all as shown on the site plan marked Petitioner's Exhibit J. Regarding the request for parking and storage areas

ORDER RECEIVED FOR FILING

DATE *July 22, 1982*
BY *John P. Dwyer*



PAUL H. RENCKE
CHIEF

February 24, 1982

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Janet E. Davis

Location: NW/4 Belair Road, 2025' NE of Sunshine Avenue

Item No.: 115

Zoning Agenda: Meeting of December 28, 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 design and 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.
- () 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.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVISED: *July 22, 1982*
Planning Group
Special Inspection Division

Noted and Approved: *George M. Wagoner*
Fire Prevention Bureau

/mb

to remain as crusher run, Mr. Davis stated that macadam and/or tar and chip would cost approximately \$15,000 and create an economic hardship.

Those appearing at the hearing in opposition to the requests testified that the cabins had been closed for an unknown period of time; that the construction of the new driveway referred to in Protestants' Exhibit 1, a Deed dated February 23, 1979, will be a traffic hazard because of the slow-moving trailers entering the property; and that the live-in trailers will cause drainage, septic, and water problems.

A review of Case No. 2872-RS discloses that Zoning Commissioner Wilsie Adams granted a reclassification from "A" Residence to "E" Commercial for the subject property (280 feet on Belair Road by 275.85 feet) and a Special Permit for a "gasoline service station and cabin camp" on February 9, 1954. Case No. 74-75-RSPH (Petitioner's Exhibit 2) discloses the following language contained in Deputy Zoning Commissioner James E. Dyer's Order dated October 29, 1973:

"Testimony indicated that the Petitioner [Robert Micucci and Katherine J. Micucci] does not intend to change any of the existing uses consisting of six motel units, a combination service station and a two apartment building, and trailer sales and maintenance...."

Also, the site plan revised on May 31, 1973 and marked therein as Petitioner's Exhibit 1-A shows the improvements contained on the total site and the alleged trailers are not shown to be existing as of that date.

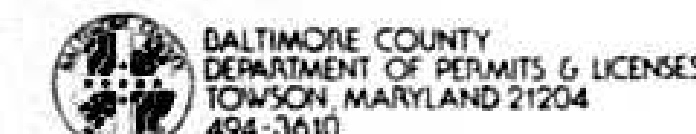
Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of July, 1982, that the amendment to the site plan filed in Case No. 2872-RS which deletes the area utilized as a gas station (Section A), in accordance with Petitioner's Exhibit 3, is approved and, as such, is hereby GRANTED, from and after the date of this Order, subject, however, to approval of said site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

It is FURTHER ORDERED that the nonconforming use for a trailer camp on the portion of the subject property to the rear of the gasoline service is not approved and, as such, is hereby DENIED.

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 74-75-RSPH which would allow trailer sales in the area deleted from the site plan filed in Case No. 2872-RS (Section C) is moot and, as such, is hereby DISMISSED.

ORDER RECEIVED FOR FILING

DATE *July 22, 1982*
BY *John P. Dwyer*



TED ZALESKI, JR.
DIRECTOR

January 27, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #115 Zoning Advisory Committee Meeting, December 28, 1981 are as follows:

Property Owner: Janet E. Davis
Location: NW/4 Belair Road 2,025' N/E of Sunshine Avenue
Existing Zoning: B.M.
Proposed Zoning:

Acres: 280/279.90 X 275/283.45
District: 11th

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- B. A building/_____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X. 1. Comments: As this is a sub-division of an existing property and its use, it would appear to be acceptable as a continuation of an existing use, unless alteration or additions to structures are proposed.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:ruj

It is FURTHER ORDERED that the Petition for Variance to permit a crusher run surface in lieu of the required durable and dustless surface is hereby DENIED.

Sharon E. Dyer
Sharon E. Dyer, Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE *July 22, 1982*
BY *John P. Dwyer*

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
NW/4 of Belair Rd., 2,025' : OF BALTIMORE COUNTY
NE of Sunshine Ave., :
11th District :
JANET E. DAVIS, Petitioner : Case No. 82-280-SPHA

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

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

Peter Max Zimmerman John W. Hession, III
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 2nd day of June, 1982, a copy of the foregoing Order was mailed to Janet E. Davis, 235 E. Belcrest Place, Bel Air, MD 21014, Petitioner.

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

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NW/4 of Belair Road, : BEFORE THE
2,025' NE of Sunshine : ZONING COMMISSIONER
Avenue - 11th Election :
District : OF
Janet E. Davis - Petitioner : BALTIMORE COUNTY
NO.: 82-280-SPHA (Item No. 115) :

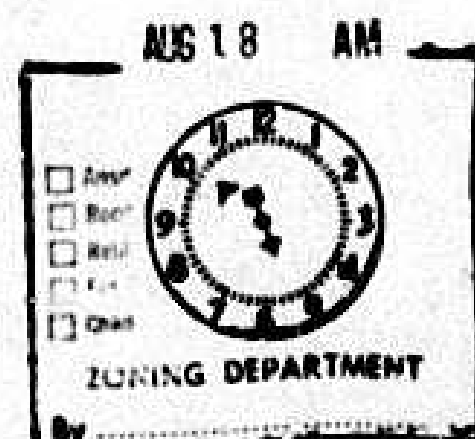
NOTICE OF APPEAL

Please enter an Appeal on behalf of the Petitioner, and property owner, Janet E. Davis from the decision of the Zoning Commissioner dated July 22, 1983.

S. ERIC DINENNA
S. ERIC DINENNA, P.A.
406 W. Pennsylvania Avenue
Towson, Maryland
Attorneys for Defendant

I HEREBY CERTIFY that on this 18th day of August, 1983, a copy of the foregoing Notice of Appeal was mailed to Gregory A. Rapisarda, Esquire, 36 N. Hickory Avenue, Bel Air, Maryland 21014 and to John W. Hession, Esquire, People's Counsel, Court House, Towson, Maryland 21204

S. ERIC DINENNA
S. ERIC DINENNA



PROTESTANT'S EXHIBIT

This Deed, Made this 23rd day of February, 1982, in the year one thousand nine hundred and seventy-nine, by and between Janet E. Davis,

of Baltimore County, in the State of Maryland, of the first part, and Nancy T. Ihtsky, of Baltimore County, in the State of Maryland, of the second part.

Witnesseth, that in consideration of the sum of One Hundred Thousand Dollars, the receipt whereof is hereby acknowledged, the said party of the first part,

does grant and convey unto the said party of the second part, her personal representatives,

heirs and assigns, in fee simple, all that lot of the ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:-

Beginning for the same on the northwest side of Belair Road at the beginning of that parcel of land which by deed dated November 3, 1975 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5581, Folio 389, was conveyed by Robert Micucci and wife to Janet E. Davis; thence leaving Belair Road and running with and binding on part of the first line in said deed North 68 degrees 55 minutes West 135 feet, thence running for two lines of division as follows: North 22 degrees 38 minutes East 145 feet and South 68 degrees 55 minutes East 135 feet to the northwest side of Belair Road and to intersect the fourth line in deed above referred to, and thence running with and binding on part of said fourth line along the northwest side of Belair Road South 22 degrees 38 minutes West 145 feet to the place of beginning, containing 0.45 acres more or less.

SAVING AND EXCEPTING so much of said property as may be in the bed of Belair Road, that was granted and conveyed into the State Roads Commission by grants dated February 19, 1934 and May 9, 1935, recorded in Liber C.W.B., Jr. No. 929, Folio 48 and C.W.B., Jr. No. 954, Folio 115, respectively, and subject to slope easements set forth therein.

Improvements known as 12100 Belair Road, being part of the property which by deed dated November 3, 1975 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5581, Folio 389, was granted and conveyed by Robert Micucci and wife unto the grantor herein named.

TOGETHER with a 10 foot wide easement and a free uninterrupted and unobstructed right-of-way, in, under, across and over the adjoining property of the grantor, said easement running from the property herein conveyed to a newly dug well, said well being for the sole use and benefit of the property hereby conveyed, said easement being for installation and maintenance of pipes and other equipment necessary for the supply of water to the property herein conveyed, the center line of the easement being approximately 27 feet measured perpendicular from the southwesternmost property line of the grantors adjoining land and running parallel thereto, and running approximately 80 feet measured from the northwesternmost side of the property hereby conveyed.

IN THE MATTER OF THE APPLICATION OF JANET E. DAVIS FOR SPECIAL HEARING and VARIANCE ON PROPERTY LOCATED ON THE NORTHWEST SIDE OF BELAIR RD., 2,025' NORTHEAST OF SUNSHINE AVE. 11th DISTRICT

OPINION

This case comes before the Board on appeal from a decision by the Zoning Commissioner denying the nonconforming use of one section of the property as a trailer camp and a variance on the surface area for crusher run. The property is zoned Business, Major.

As per the testimony of Mr. Wayne Davis, husband of the property owner and one long familiar with the site in question, and according to two sworn affidavits, one portion of the site has been used as a trailer camp for approximately 40 years. There was no indication that there has ever in the past forty years been an interruption in that usage, so this Board finds Section 8 of the property to be a nonconforming use.

With regard to the Petitioner's request for a variance for the paving for the area to be used for auto sales, this Board is aware that surfaces for all parking areas are to be durable and dustless. While officials of the Office of Planning and Zoning stated that a crusher run surface is not necessarily likely to be either durable or dustless, such a surface can meet both criteria. Testimony from Mr. Davis and Mr. Lipka, an adjacent property owner, indicated the presence of several springs on the property. These springs not only keep the surface damp, thus keeping the area relatively dust free, but also may make the option of hard paving difficult. Efforts to date to control the spring water have failed and there is no evidence that future efforts will be any more successful. Therefore, to pave and maintain the area to be used for auto sales may well be futile and cause a practical difficulty for the owner. The Board does feel, however, that some portion of the sales area should have a hard surface in order to provide proper parking and maneuverability for prospective customers and to keep loose stones from Belair Road. By so doing, the owner will then be in compliance with the Baltimore County Zoning Regulations, Section 409.2.

Together with the buildings and improvements thereupon erected, made or being and all every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or in anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said party of the second part.

her personal representatives, heirs and assigns, in fee simple.

And the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property granted and that she will execute such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor

TEST:

Janet E. Davis (SEAL) Seller
Nancy T. Ihtsky (SEAL) Payer
as to both

STATE OF MARYLAND, CITY OF BALTIMORE,

I HEREBY CERTIFY, That on this 23rd day of February, in the year one thousand nine hundred and seventy-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Janet E. Davis and Nancy T. Ihtsky,

the above named grantor, and I acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

Paul R. Grah Notary Public
MAR 23 1979 at
Notary Public

Janet E. Davis
Case No. 82-280-SPHA

ORDER

For the reasons set forth in the foregoing Opinion, it is this 25th day of April, 1984, by the County Board of Appeals, ORDERED that the decision of the Zoning Commissioner be REVERSED, and that the property be allowed to continue the nonconforming use as a trailer camp, and

IT IS FURTHER ORDERED that the owner pave an area of the section to be used for sales, sufficient to provide for the proper entrance/exit and parking for fifteen cars.

In complying with the above Orders, this Board also approves the Site Plan.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hockett
William T. Hockett, Chairman

Keith S. Franz
Keith S. Franz

Diana K. Vincent
Diana K. Vincent

DEED

FROM

Janet E. Davis

TO

Nancy T. Ihtsky

12100 Belair Road

BLOCK NO.

Received for Record

at 10 o'clock M. Same day recorded

in Liber No. Folio &c.

one of the Land Records of

, and examined per

, Clerk

Cost of Record, \$

STOCKDALE, RUSSELL AND JARRELL

8717 HARFORD ROAD

BALTIMORE, MARYLAND 21214

TOWSON STATIONERS, INC. TOWSON, MD

Parcel of 1. of Baltimore Co. Micucci and wife to Janet E. Davis, being on part of the first line in said deed North 68 degrees 55 minutes West 135 feet, thence running for two lines of division as follows: North 22 degrees 38 minutes East 145 feet and South 68 degrees 55 minutes East 135 feet to the northwest side of Belair Road and to intersect the fourth line in deed above referred to, and thence running with and binding on part of said fourth line along the northwest side of Belair Road South 22 degrees 38 minutes West 145 feet to the place of beginning, containing 0.45 acres more or less.

SAVING AND EXCEPTING so much of said property as may be in the bed of Belair Road, that was granted and conveyed into the State Roads Commission by grants dated February 19, 1934 and May 9, 1935, recorded in Liber C.W.B., Jr. No. 929, Folio 48 and C.W.B., Jr. No. 954, Folio 115, respectively, and subject to slope easements set forth therein.

Improvements known as 12100 Belair Road, being part of the property which by deed dated November 3, 1975 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5581, Folio 389, was granted and conveyed by Robert Micucci and wife unto the grantor herein named.

TOGETHER with a 10 foot wide easement and a free uninterrupted and unobstructed right-of-way, in, under, across and over the adjoining property of the grantor, said easement running from the property herein conveyed to a newly dug well, said well being for the sole use and benefit of the property hereby conveyed, said easement being for installation and use and maintenance of pipes and other equipment necessary for the supply of water to the property herein conveyed, the center line of the easement being approximately 27 feet measured perpendicular from the southwesternmost property line of the grantors adjoining land and running parallel thereto, and running approximately 80 feet measured from the northwesternmost side of the property hereby conveyed.

6001 298
CDE-City or County-Form 049

This Deed, Made this 23RD day of February
in the year one thousand nine hundred and seventy-nine, by and between Janet E. Davis,
of Baltimore County, in the State of Maryland, of the first part, and
Nancy T. Lhotsky, of Baltimore County, in the State of Maryland,
of the second part.

Witnesseth, that in consideration of the sum of One Hundred Thousand Dollars, the receipt
whereof is hereby acknowledged,
the said party of the first part,
does grant and convey unto the said party of the second part, her personal representatives,
heirs and assigns, in fee simple, all that lot of the ground, situate, lying and being in
Baltimore County, aforesaid, and described as follows, that is to say:--

Beginning for the same on the northwest side of Belair Road at the beginning of that
parcel of land which by deed dated November 3, 1975 and recorded among the Land Records
of Baltimore County in Liber E.H.K., Jr. No. 5581, Folio 389, was conveyed by Robert
Micucci and wife to Janet E. Davis; thence leaving Belair Road and running with and bind-
ing on part of the first line in said deed North 68 degrees 55 minutes West 135 feet,
thence running for two lines of division as follows: North 22 degrees 38 minutes East 145
feet and South 68 degrees 55 minutes East 135 feet to the northwest side of Belair Road
and to intersect the fourth line in deed above referred to, and thence running with and
binding on part of said fourth line along the northwest side of Belair Road South 22 de-
grees 38 minutes West 145 feet to the place of beginning, containing 0.45 acres more or less.

SAVING AND EXCEPTING so much of said property as may be in the bed of Belair Road,
that was granted and conveyed into the State Roads Commission by grants dated February 19,
1934 and May 9, 1935, recorded in Liber C.W.B., Jr. No. 929, Folio 48 and C.W.B., Jr. No.
954, Folio 115, respectively, and subject to slope easements set forth therein.

Improvements known as 12100 Belair Road.

BEING part of the property which by deed dated November 3, 1975 and recorded among
the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5581, Folio 389, was granted
and conveyed by Robert Micucci and wife unto the grantor herein named.

TOGETHER with a 10 foot wide easement and a free uninterrupted and unobstructed right-
of-way, in, under, across and over the adjoining property of the grantor, said easement
running from the property herein conveyed to a newly dug well, said well being for the sale
use and benefit of the property hereby conveyed, said easement being for installation and
maintenance of pipes and other equipment necessary for the supply of water to the property
herein conveyed, the center line of the easement being approximately 27 feet measured
perpendicular from the south-westernmost property line of the grantors adjoining land and
running parallel thereto, and running approximately 80 feet measured from the easternmost
side of the property hereby conveyed.

DESCRIPTION FOR SPECIAL HEARING

Beginning at a point on the northwest side of Belair Road approximately
2025 feet northeast of Sunshine Avenue and thence running N 22° 38'
E 280 feet, thence N 68° 55' W 283.45 feet, thence S 21° 05' W 279.90
feet and thence S 68° 55' E 275.85 feet to the place of beginning.
Saving and excepting that portion of the property shown as Section A.
Also known as 12100 Belair Road.

6001 299
continued from page 1)

The parties do further agree that should the well or any replacement well
therefore, be abandoned, either party can demand that a deed of extinguishment be
executed by the parties then in title to properties hereby affected by this easement,
it which time any and all liability for maintenance of said wells by the grantees
herein or their heirs and assigns shall cease.

The Grantor hereby reserves unto herself, and her personal representatives
and assigns, the right to use the existing driveway or driveways now running across
the land hereby conveyed that provide access to and from the portion of the grantors
retained property to the northwest of the property herein conveyed. This right of
use shall expire on August 19, 1980 or upon the grantor constructing a new driveway
on grantors retained land to the north of the property hereby conveyed whichever date
or event sooner occurs.

PETITION FOR SPECIAL HEARING AND VARIANCE

11th Election District

ZONING: Petition for Special Hearing and Variance

LOCATION: Northwest side of Belair Road, 2,025' Northeast of
Sunshine Avenue

DATE & TIME: Tuesday, June 22, 1982 at 11:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the
Baltimore County Zoning Regulations, to determine
whether or not the Zoning Commissioner and/or Deputy
Zoning Commissioner should approve a nonconforming
use of a trailer camp and a reduction in lot area from
Case 2872RS deleting the area utilized as a gas station
(Section A) and to amend the site plan in Case #74-75-RSPH
by allowing a change in the area deleted from Case 2872RS
for trailer sales (Section C); and Variance to permit parking
and storage area to have crusher run surface instead of the
required durable and dustless surface (macadam, tar and
chip, etc.)

The Zoning Regulation to be excepted as follows:
Section 409.2.c (2) - required surface for parking area

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

Being the property of Janet E. Davis, as shown on plat plan filed with the Zoning
Department.

Hearing Date: Tuesday, June 22, 1982 at 11:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Together with the buildings and improvements thereupon erected, made or being and all and
every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belong-
ing, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and
mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and
advantages thereto belonging or appertaining unto and to the proper use and benefit of the said
party of the second part,

her personal representatives, heirs and assigns, in fee simple.

And the said party of the first part hereby covenants that she has
not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby
conveyed; that she will warrant specially the property granted and that she will execute
such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor

TEST:

Janet E. Davis (SEAL) Seller
Nancy T. Lhotsky (SEAL) Buyer

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 23RD day of February
in the year one thousand nine hundred and seventy-nine, before me, the subscriber,
a Notary Public of the State of Maryland, in and for Baltimore County,
personally appeared Janet E. Davis and Nancy T. Lhotsky, aforesaid,

the above named grantor, and grantee
acknowledged the foregoing Deed to be their act.
As Witness my hand and Notarial Seal.

Notary Public
MAR 22 1979
Paul R. Gough
for Elmer J. Kahline, Jr., Clerk
all to Richard R. Russell
Receipt No. 8775

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 6/5/82
Posted for: Petition for Variance & Special Hearing
Petitioner: Janet E. Davis
Location of property: NW 1/4 of Belair Rd. 2025' NE of
Sunshine Ave.
Location of Sign: facing Belair Rd. & front of property
Remarks:
Posted by: William E. Hammond Date of return: 6/4/82
Number of Signs: 2

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353
WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 12, 1983

Ms. Janet E. Davis
205 E. Belcrest Place
Bel Air, Maryland 21014

Re: Petitions for Special Hearing & Variance
NW/S Belair Rd., 2,025' NE of Sunshine Avenue
Janet E. Davis - Petitioner
Case No. 82-280-SPHA

Dear Ms. Davis:

This is to advise you that \$77.97 is due for advertising and posting
of the above property.

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

Very truly yours,

WILLIAM E. HAMMOND
Commissioner

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

No. 119425

DATE 7/20/83 ACCOUNT R-01-615-000

AMOUNT \$77.97

RECEIVED Janet E. Davis
FROM Advertising & Posting Case #82-280-SPHA

the date of this letter, I
Office for collection.

0 895*****779710 3216A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

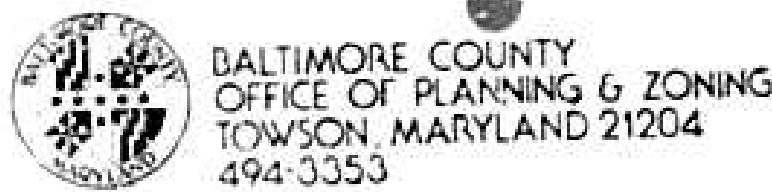
TOWSON, MD. June 2, 1982

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 each
of SATURDAY, 5-10-82, before the 2nd day of
day of June, 1982, the first publication
appearing on the 2nd day of June, 1982.

THE JEFFERSONIAN

Manager

Cost of Advertisement: \$ 29.75



WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 23, 1982

Ms. Janet E. Davis
205 E. Belcrest Place
Bel Air, Maryland 21014

Re: Petitions for Special Hearing & Variance
NW/S Belair Rd., 2,025' NE of Sunshine Avenue
Janet E. Davis - Petitioner
Case #82-280-SPHA

Dear Ms. Davis:

This is to advise you that \$77.97 is due for advertising and posting of the above property.

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

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:taj

May 25, 1982

Ms. Janet E. Davis
205 E. Belcrest Place
Bel Air, Maryland 21014

NOTICE OF HEARING

Re: Petition for Special Hearing and Variance
NW/S of Belair Rd., 2,025' NE of Sunshine Avenue
Janet E. Davis - Petitioner
Case #82-280-SPHA

TIME: 11:00 A.M.

DATE: Tuesday, June 22, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

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

No. 107654

DATE 5/26/82 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Janet E. Davis
ON Filing Fee for Case 82-280-SPHA

6 087*****250010 8278A

VALIDATION OR SIGNATURE OF CASHIER

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>DET</u>	Revised Plans: Change in outline or description Yes ☐ No ☐									
Previous case: <u>2872 / 74-75-RSPH</u>	Map # <u> </u>									

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

No. 119478

DATE 8/19/83 ACCOUNT R-01-615-000

AMOUNT \$155.00

RECEIVED FROM S. Eric DiNenna, Esquire
FOR Appeal of Case #82-280-SPHA
(Janet E. Davis)

6 026*****1550010 8192A

VALIDATION OR SIGNATURE OF CASHIER

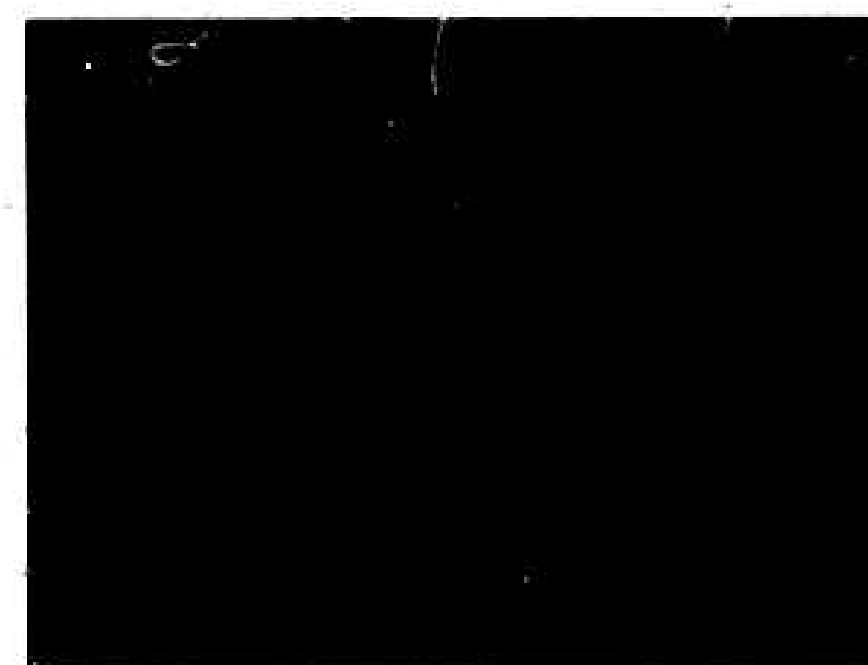
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this Dec day of 1982.
Filing Fee \$ 25 Received: ☒ Check ☐ Cash ☐ Other

Petitioner Janet E. Davis Submitted by
Petitioner's Attorney Reviewed by

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



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 22, 1983

Mrs. Janet E. Davis
205 East Belcrest Place
Bel Air, Maryland 21014

RE: Petitions for Special Hearing and Variance
NW/S of Belair Road, 2,025' NE of Sunshine
Avenue - 11th Election District
Janet E. Davis - Petitioner
NO. 82-280-SPHA (Item No. 115)

Dear Mrs. Davis:

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

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

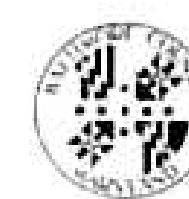
WEH/srl

Attachments

cc: Gregory A. Rapisarda, Esquire
36 North Hickory Avenue
Bel Air, Maryland 21014

Mrs. Madge Cheek
12021 Belair Road
Kingsville, Maryland 21087

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



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

ARNOLD JABLON
ZONING COMMISSIONER

August 26, 1983

Gregory A. Rapisarda, Esquire
36 North Hickory Avenue
Bel Air, Maryland 21014

Re: Petitions for Special Hearing & Variance
NW/S Belair Rd., 2,025' NE of Sunshine
Avenue - 11th Election District
Janet E. Davis - Petitioner
Case No. 82-280-SPHA

Dear Mr. Rapisarda:

Please be advised that an appeal has been filed by S. Eric DiNenna, attorney for the petitioner, from the decision rendered by the Zoning Commissioner of Baltimore County, in the above referenced matter.

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

Sincerely,

ARNOLD JABLON
Zoning Commissioner

AJ:taj

cc: Mrs. Madge Cheek
12021 Belair Road
Kingsville, Maryland 21087

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 17, 1982

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

NICHOLAS B. CONNODARI
Chairman

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

Ms. Janet E. Davis
205 E. Belcrest Place
Bel Air, Maryland 21014

RE: Item No. 115
Petitioner - Janet Davis
Special Hearing and Variance Petitions

Dear Ms. Davis:

Before this petition can be scheduled for a hearing, the site plans must be revised. In addition, I have questions concerning this property in general. I tried to contact you by phone but I have not had any success.

Please contact me at 494-3391 in order to pursue this matter.

Very truly yours,

NICHOLAS B. CONNODARI
Chairman
Zoning Plans Advisory Committee

NBC:bac



ASSIGNMENT OFFICE
Circuit Court for Harford County

COURT HOUSE
20 WEST COURTLAND STREET
BEL AIR, MARYLAND 21014
Telephone: 838-6000 Ext. 247, 432
Baltimore-879-2000

To: GREGORY A. RAPISARDA
36 N. Hickory Ave.
Bel Air, Md. 21014

Date: Jan. 17, 1984

Ref: C.D. #9308 27/254
C.D. #9308 27/253

In Re: STATE OF MARYLAND

VS.

JANICE MARIE NELSON
JAMES HENRY NELSON

Take notice that the above case has been scheduled for trial on February 28, 1984
at 10 A.M.

NOTICE TO COUNSEL:

1. Check immediately for availability of clients, witnesses, etc.
2. IF YOUR CLIENT IS INCARCERATED, IMMEDIATELY NOTIFY THE OFFICE OF THE STATE'S ATTORNEY, 18 OFFICE STREET, BEL AIR, MD. 21014 (Phone 838-6000, ext. 242) OF YOUR CLIENT'S WHEREABOUTS SO THEY MAY PETITION FOR A WRIT OF HABEAS CORPUS AD PROSEQUENDUM.
3. Advise Assignment Office 10 DAYS PRIOR TO TRIAL DATE of your estimate of trial time.
4. Under Maryland Rule 735, election BY DEFENDANT of method of trial must be made IN WRITING within time for filing the plea, pursuant to Rule 731. No change will be permitted unless made at least 10 days prior to trial and approved by the Court.

CHARLES G. HOB, III
Assignment Clerk

LOU ANN BANE
Assistant Assignment Clerk

#82-280-SPHA
NW/4 Belair Rd. 3025' NE
of Sunshine Ave.
Janet E. Davis
1 sign

CERTIFICATE OF POSTING
JUDICIAL DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 9/4/83
Posted for: Board of Appeals
Petitioner: Janet E. Davis
Location of property: NW/4 Belair Rd., 3025' NE
of Sunshine Ave.
Location of Sign: front of property (Janet E. Davis)
Remarks:
Posted by: Susan Cosentino Date of return: 9/9/83
Number of Signs: 1

12110 Belair Rd.
Kingsville, Maryland 21087
September 7, 1983

Baltimore County of Appeals
Room 200
Court House
Towson, Maryland 21204

I would like to be informed as to when the Case # 82-280-SPHA,
Janet Davis will be held as I am very much interested.

Thanks,
Susan Cosentino
Coleen Cosentino

9/9/83

S. Eric DiNenna, P.A.
Attorney at Law

406 W. Pennsylvania Avenue
Towson, Maryland 21204

November 22, 1983

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

RE: Case No.: 82-280-SPHA
Janet E. Davis, Petitioner

Dear Mr. Chairman and Members of the Board:

I am in receipt of notification of the hearing concerning the appeal of Ms. Janet E. Davis for Wednesday, February 1, 1984 at 10:00 A.M.

This is to advise you that I sit as Master in the Circuit Court for Baltimore County and will be conducting hearings on that date.

Accordingly, I must respectfully request a postponement of this hearing and prior to filing of new hearing date, if the postponement is granted, to have your office contact me so a date can be set so there is no conflict in the future.

Thank you for your cooperation.

Very truly yours,

S. ERIC DINENNA

SED/neb
cc: Ms. Janet E. Davis
cc: Gregory Rapisarda, Esquire

Rec'd 11-23-83
10 AM

By app. sent
in letter post of file
Have dates set
By Secretary
Tues 7/28 10 am conference by file

494-3180

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

November 17, 1983

NOTICE OF ASSIGNMENT

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

CASE NO. 82-280-SPHA

JANET E. DAVIS

NW/4 Belair Rd., 2,025' NE of
Sunshine Ave.

11th District

SH-Non-conforming use of a trailer camp and
reduction in lot area.
Var.-Permit parking and storage area; to have
crusher run surface

7/22/83 - Z.C. GRANTED site plan;
DENIED trailer camp; DENIED variance

ASSIGNED FOR:

WEDNESDAY, FEBRUARY 1, 1984, at 10 a.m.

cc: S. Eric DiNenna, Esq.

Counsel for Petitioner

Janet Davis

Petitioner

Gregory Rapisarda, Esq.

Counsel for Protester

Mrs. Madge Cheek

Protestant

Coleen Cosentino

People's Counsel

J. W. Hession, Esq.

People's Counsel

N. Gerber

J. Horwell

A. Joblan

J. Jung

J. Dyer

A. January

June Holmen, Secy.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Melvin F. Spier, Jr., County Attorney
Towson, Md. Date: November 28, 1983
FROM: John W. Hession, III, People's Counsel
SUBJECT: Janet E. Davis, Petitioner - Zoning Case No. 82-280-SPHA (Item 118)

The above-entitled case has been set for hearing before the County Board of Appeals on Tuesday, February 28, 1984, at 10 a.m. Since the case involves a petition for special hearing for nonconforming use of a trailer camp (not within our jurisdiction), it is felt that your office should also be represented at the Board hearing. A copy of the Board's notice of hearing is attached for your information.

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

Enclosure

cc: County Board of Appeals

DESCRIPTION #2 FOR VARIANCE

Beginning at a point on the Northwest side of Belair Road approximately 2,170' Northeast of Sunshine Avenue and thence running North 22° 38' East 135'; thence North 68° 55' West 168'; thence South 22° 38' West 135'; thence South 68° 55' East 168' to the beginning point.
Also known as 12100 Belair Road.

I, Russell A. Funkhouser, was the owner of the property at 12100 Belair Road, Kingsville, Maryland from 1941 to 1949. During this period of time we had a minimum of five trailers parked on the property with people living in them and many more at other times.

Property at that time known as
Mt Calvert Springs. Tourist & trailer camp.

Russell A. Funkhouser

Before me appeared Russell A. Funkhouser & O. E. Echeverria

Witness my hand this November 16, 1979

Natany Elizabeth Kust

Notary Public, State of Florida at Large
My Commission Expires Jan. 13, 1982

PETITIONER'S
EXHIBIT 4

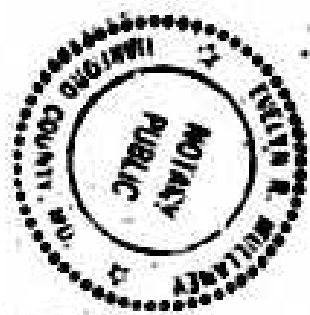
Rec'd 11-28-83
2:30 PM

Nov 28 1983

Sept. 28, 1979

This is to certify that I have lived in the Kingsville area all my life and do hereby state that a trailer park has existed on the property known as Kingsville Camping Center at 12100 Belair Rd. prior to 1955.

John Appel



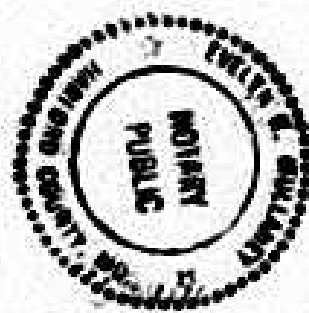
Subj. R. Muller

8/82
My Commission Expires

This is to certify that a trailer park has existed on the property known as Kingsville Camping Center at 12100 Belair Rd. prior to 1955.

Albert L. Thompson

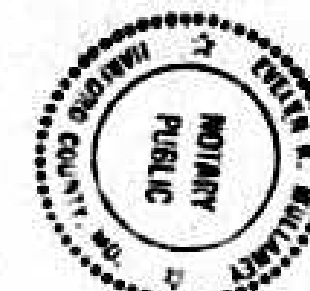
10/3/79



8/82
My Commission Expires

This is to certify that I have lived in the Kingsville area all my life and do hereby state that a trailer park has existed on the property known as Kingsville Camping Center at 12100 Belair Rd. prior to 1955.

Benedy Appel
203 Broadview Ave.
Bel Air, Md.
21014



Subj. S. Muller
8/27/79

My Commission Expires 8/82

To Whom it may concern

I have definite knowledge that the property now known as Kingsville Camping Center had House trailers parked on the premises prior to 1955.

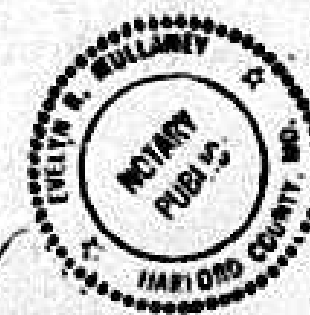
I have lived in this neighborhood since 1940

Joseph E. Nolan
2424 Broadview Rd

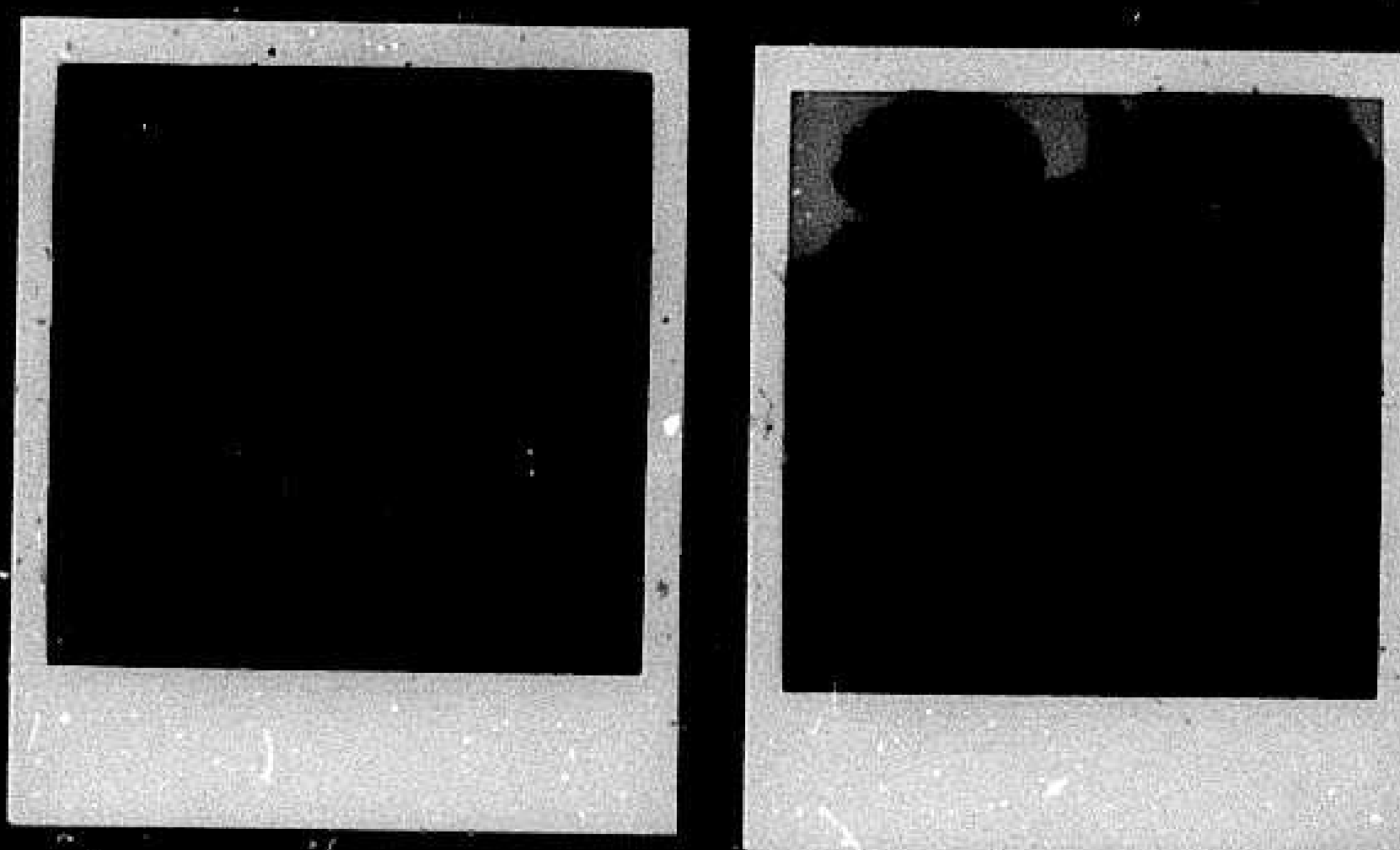
To whom it may concern:

I have been residing in Kingsville long before 1955 and am familiar with the property at 12100 Belair Road. I remember seeing a minimum of five trailers and sometimes more with people living in them on this property.

Subj. J. Muller



Subj. R. Muller
Notary Public



Bel Air Road
Kingsville, Md. 21087
June 21st 1982

Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

Gentlemen:

Please accept my letter of opposition to Petition #82-280-SFMA, by Janet E. Davis, for a trailer camp on the N.W. side of Bel Air Road, as I am ill and unable to attend the hearing tomorrow.

Traffic on Route 1 in the vicinity of the market is very heavy and this past year, there have been numerous serious accidents. A trailer camp would certainly contribute to more hazardous traffic conditions.

A trailer camp would depreciate property values in this area and we have no way of knowing the effect on the availability of water nor the disposal of sewage with the addition of so many people to the area. This is not mentioning the noise and the probability of undesirable groups meeting at the site. It is indisputable that undesirable elements congregate at motels and trailer camps.

Thank you for disallowing this petition.

Very truly yours
Mrs. Nora C. Schreck
Mrs. Nora Schreck

Protestant's Ex. 92

12032 Bel Air Road
Kingsville, Md. 21087
21 June 1982

Board of Appeals
Baltimore County
County Office Building
Towson, Md. 21204

Gentlemen:

As neither of us is in position to attend today's hearing of Janet E. Davis' petition, #82-280-SFMA to allow a non-conforming trailer camp on the N.W. side of Bel Air Road, 11th Election District, 5th Councilmanic District, we will appreciate acceptance of our letter of opposition:

Not only would such a trailer camp detract from property values in the area, movement of trailers of all sizes into and out of the site, would add to hazardous traffic conditions. There have, in the past year, been numerous serious accidents along this stretch of US #1. Traffic to and from the market is quite considerable and at times amounts to congestion.

Increasing density of population in this area could have an adverse effect on the water table and who knows the effect of increasing sewerage?

"Reduction in lot area" we think means the space for each trailer would be lessened so that a greater number of trailers could be moved onto the site. A crowded trailer camp -- noise.... the residents purchased their properties and expected to enjoy their surroundings. Properties in this neighborhood are well-kept....we want to keep our neighborhood quiet, orderly and not subject to meetings of motorcycle groups, rock music groups, etc.

Very truly yours

Edward C. Kreh
Mrs. Eleanor C. Kreh
Viola H. Evans

Protestant's Ex. 92

Bel Air Rd.
Kingsville
Md. 21087

Board of Appeals
Baltimore County
County Bldg.
Towson, Md. 21204

Gentlemen:

We oppose the non-conforming use of a trailer camp as petitioned by Janet E. Davis, #82-280-SFMA, because:

Traffic congestion will result from trailers of all sizes moving in and out of the site and heavily-travelled U.S. 1.

Protestant's Ex. 92

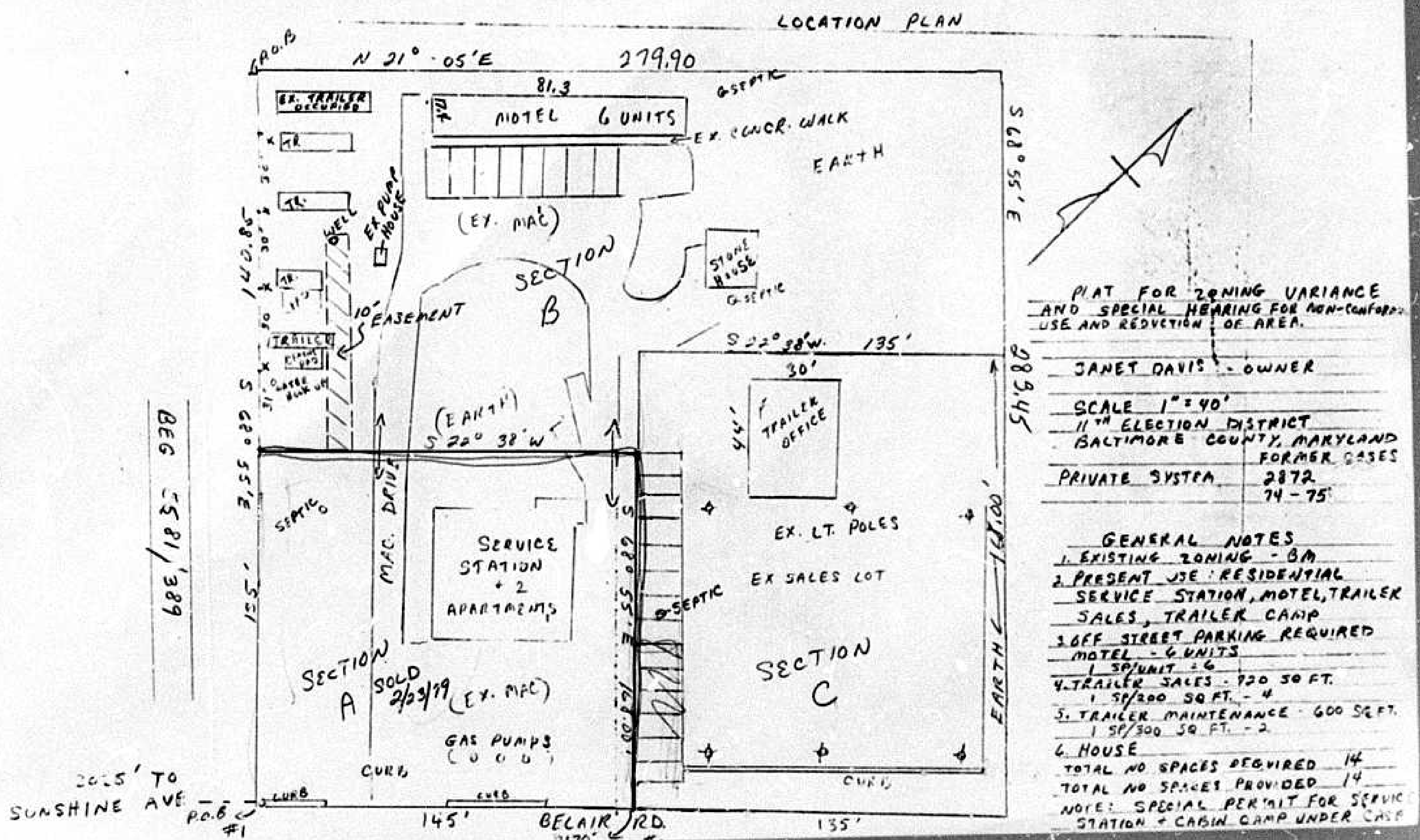
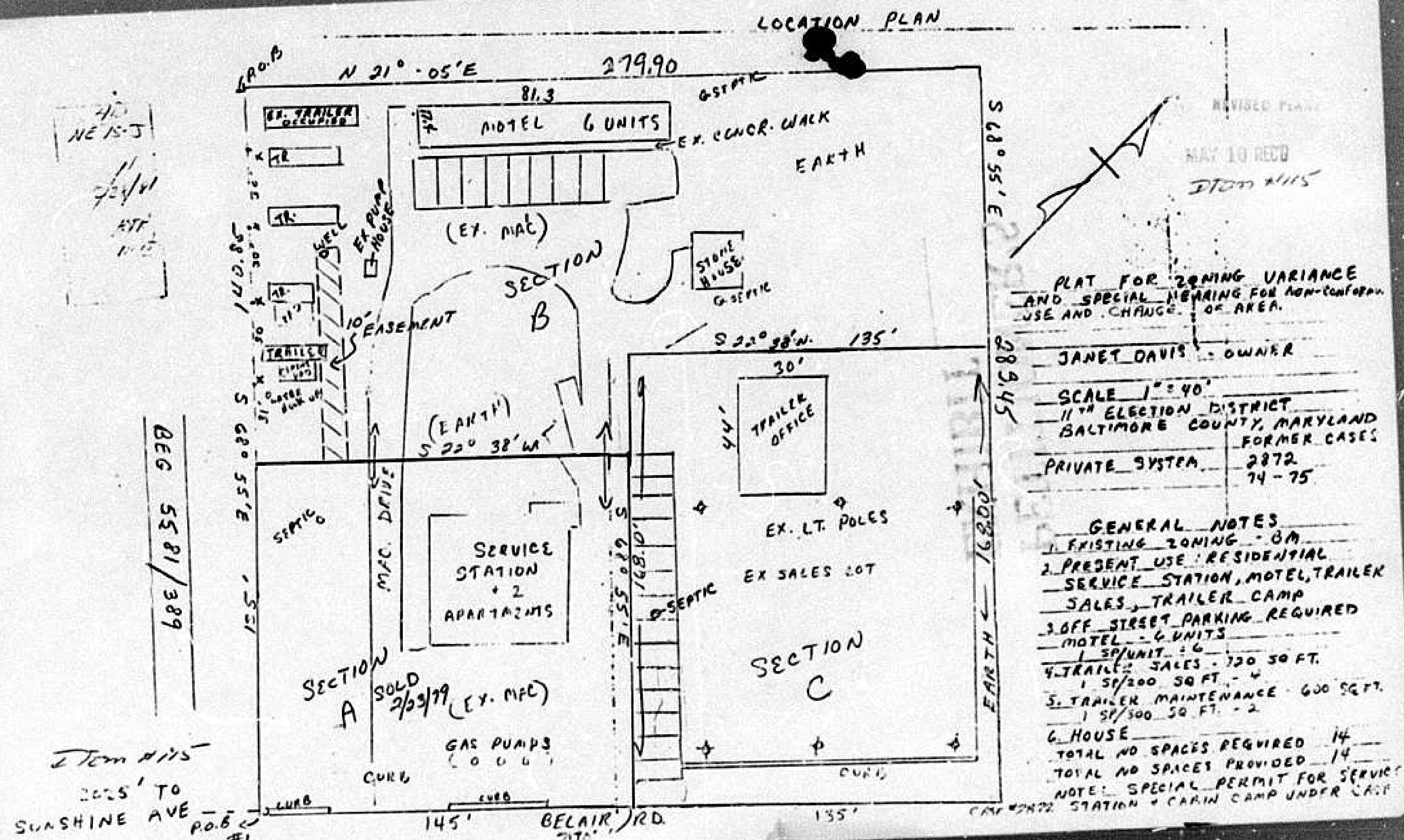


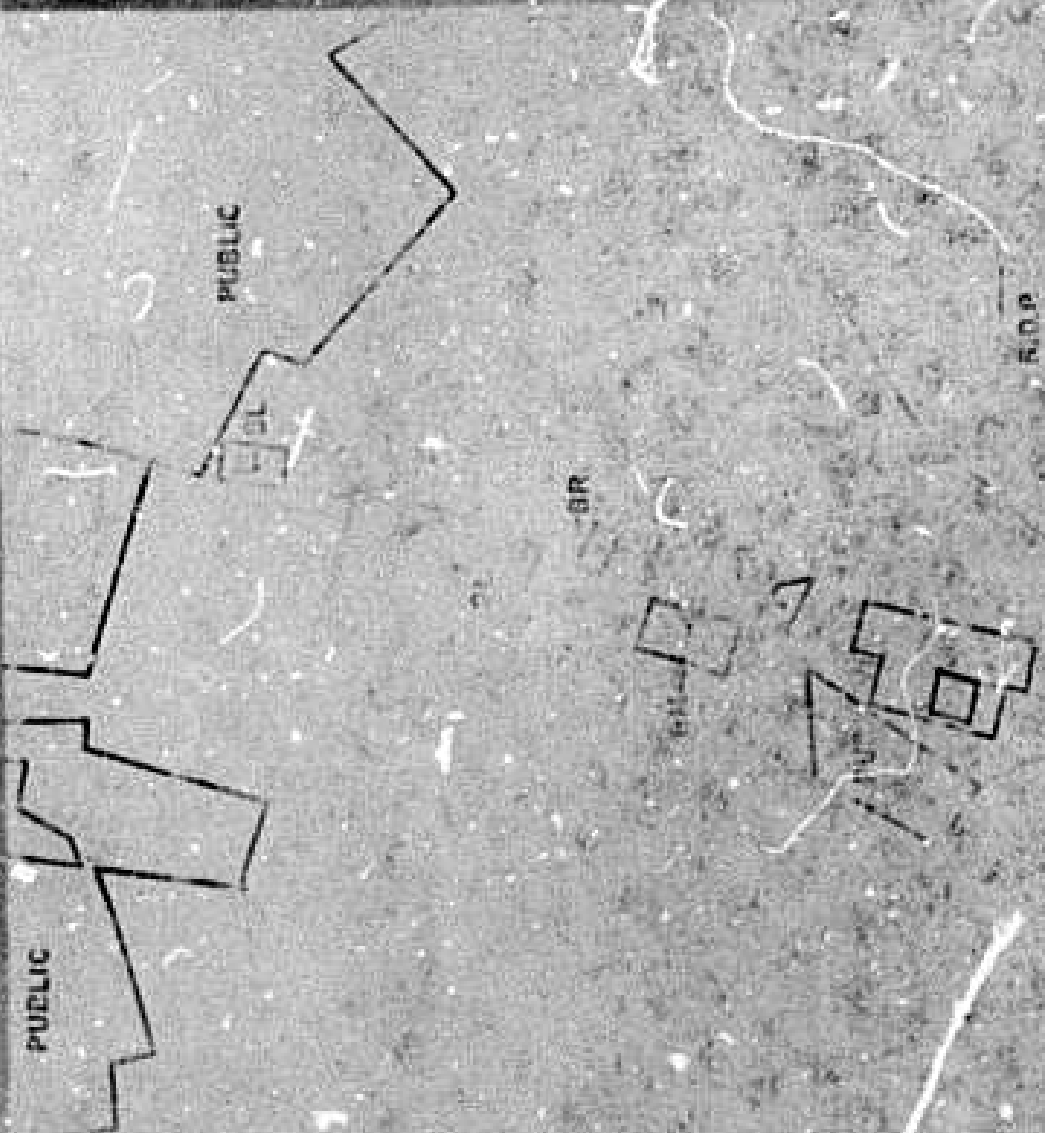
We do not know the effects of so many people on the water and sewerage of the area.

A trailer camp will detract from property values.

There are a few of the objectionable qualities of allowing a trailer camp in the Kingsville area - the negative disapproval of this petition.

Very truly yours
Margaret A. Parr
Carl J. Parr



[illegible][illegible]

1/10
 Date of Purchase Sept. 6, 97.
 Name of Purchaser John A. & Mary A. Jones
 Name of Residence 1015 E. 10th Ave.
 Name of Seller J. & M. Jones
 Name of Seller's Address 1015 E. 10th Ave.
 Name of Seller's City & State Denver, Colo.
 Name of Seller's County Adams
 Name of Seller's State Colo.
 Name of Seller's Zip 80202

[illegible][illegible]

MASSACHUSETTS SOCIETY OF CLERGYMEN AND MINISTERS
 1000 COMMERCIAL STREET
 BOSTON, MASSACHUSETTS 02108
 617-552-1111
 FAX 617-552-1112
 E-MAIL: SAC@CLERGYMEN-MASSA.ORG
 WWW.CLERGYMEN-MASSA.ORG

[illegible]

JAN 20 1974

2.8.376

ORDER by the United States District Court for the District of Columbia, in and for the District of Columbia, in Case No. 82-280, between the United States of America, Plaintiff, and the District of Columbia, Defendant.

IT IS ORDERED that the Defendant shall pay to the Plaintiff the sum of \$10,000.00, with interest thereon at the rate of 6% per annum, from the date of the entry of this order until the date of payment.

IT IS ORDERED that the Defendant shall pay to the Plaintiff the sum of \$10,000.00, with interest thereon at the rate of 6% per annum, from the date of the entry of this order until the date of payment.

ORDER by the United States District Court for the District of Columbia, in and for the District of Columbia, in Case No. 82-280, between the United States of America, Plaintiff, and the District of Columbia, Defendant.

IT IS ORDERED that the Defendant shall pay to the Plaintiff the sum of \$10,000.00, with interest thereon at the rate of 6% per annum, from the date of the entry of this order until the date of payment.

IT IS ORDERED that the Defendant shall pay to the Plaintiff the sum of \$10,000.00, with interest thereon at the rate of 6% per annum, from the date of the entry of this order until the date of payment.

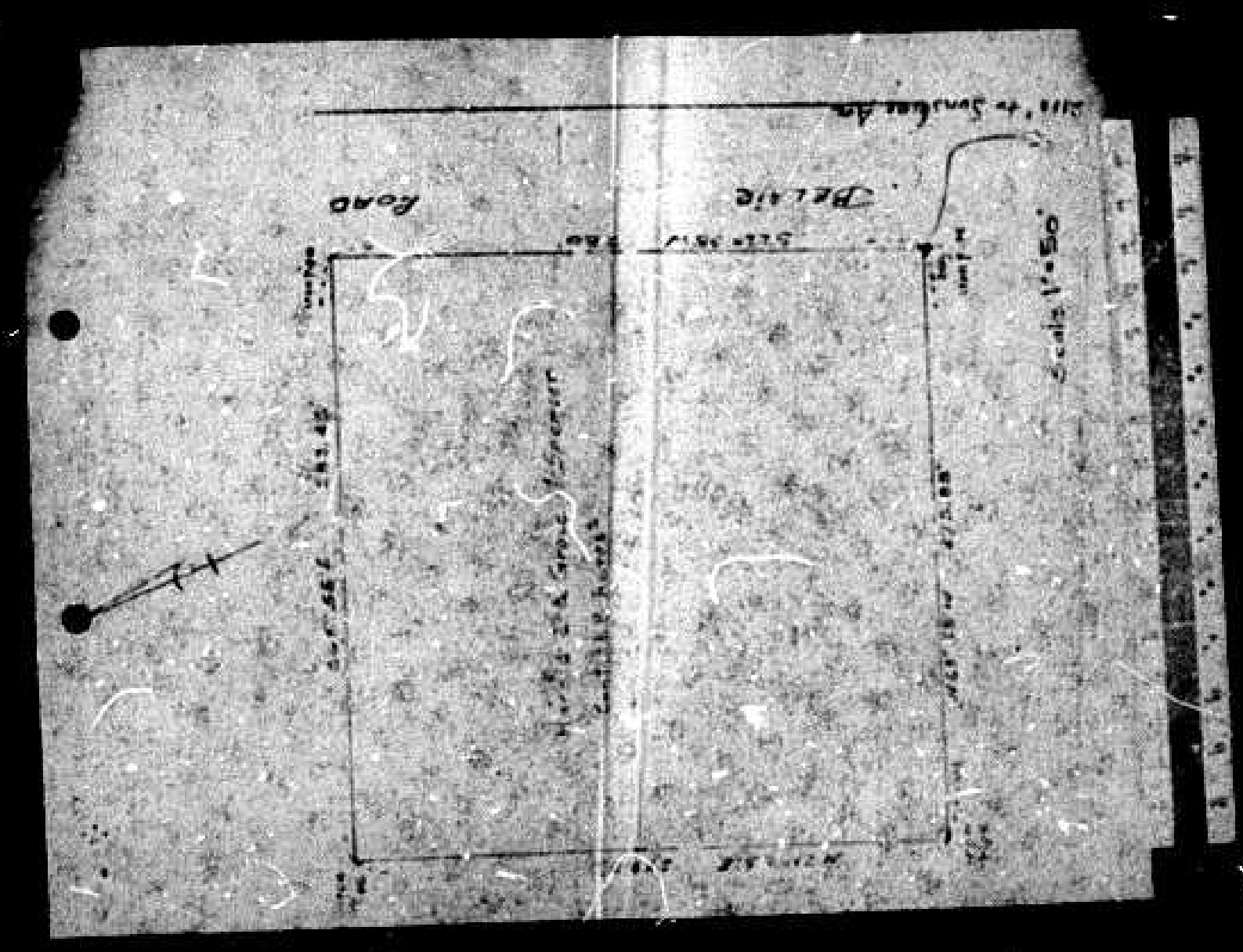
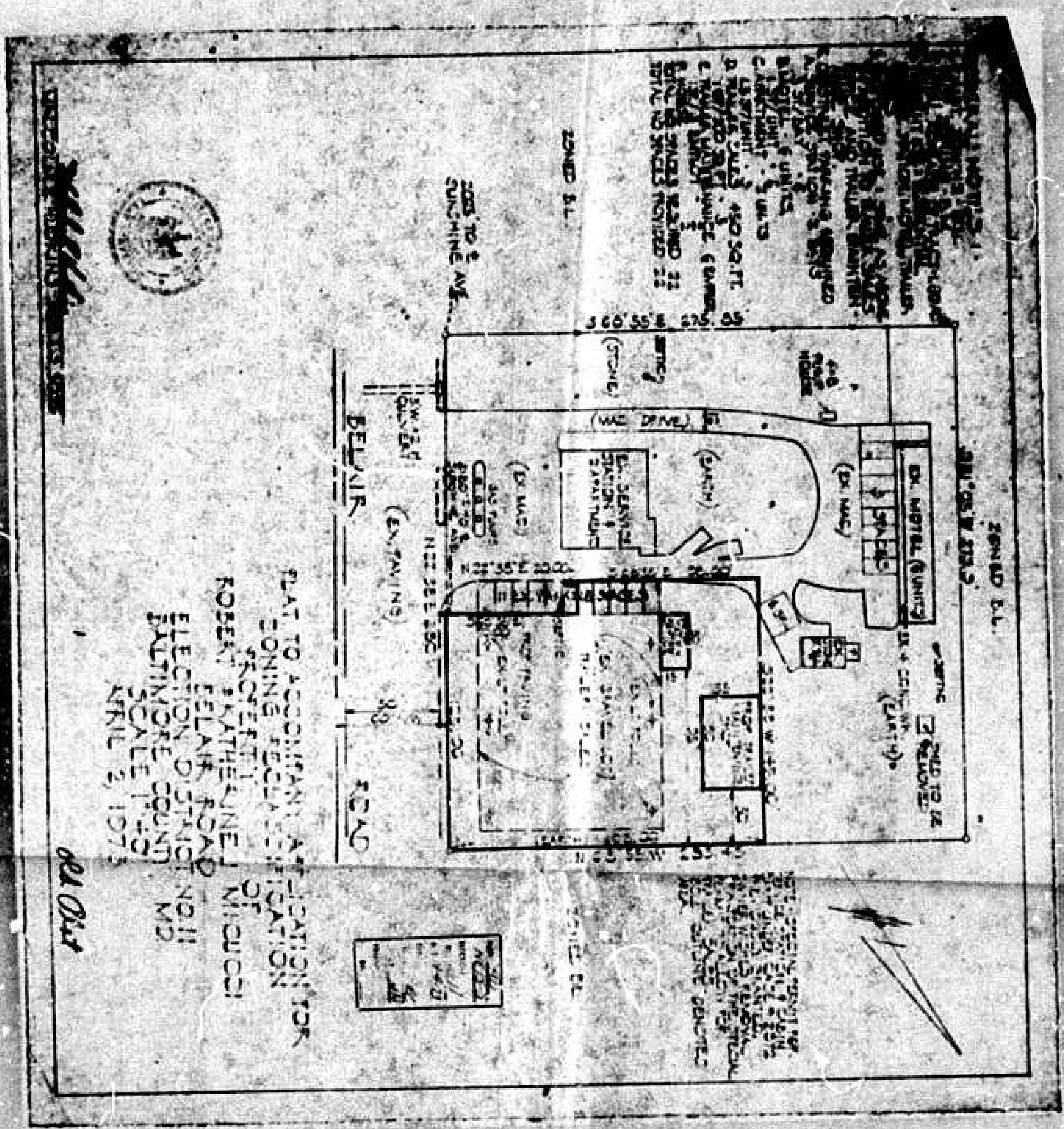
PETITIONER'S EXHIBIT

EXHIBIT

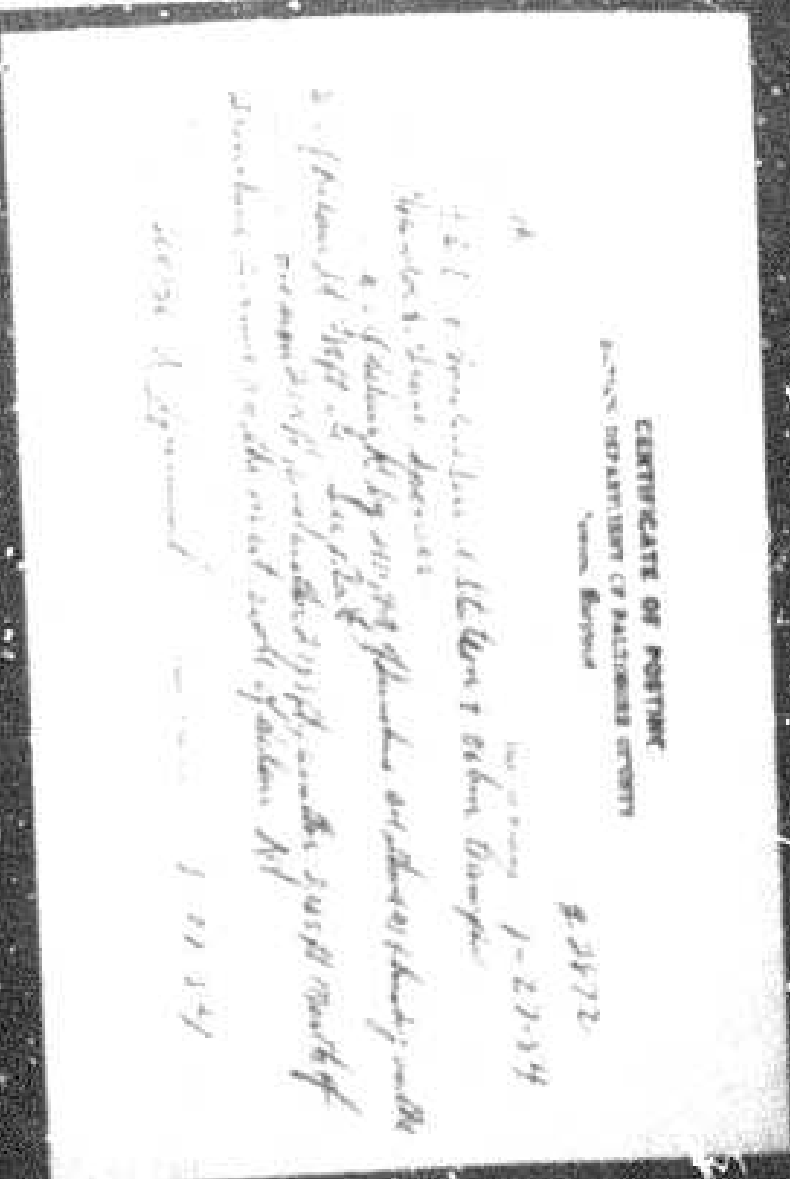
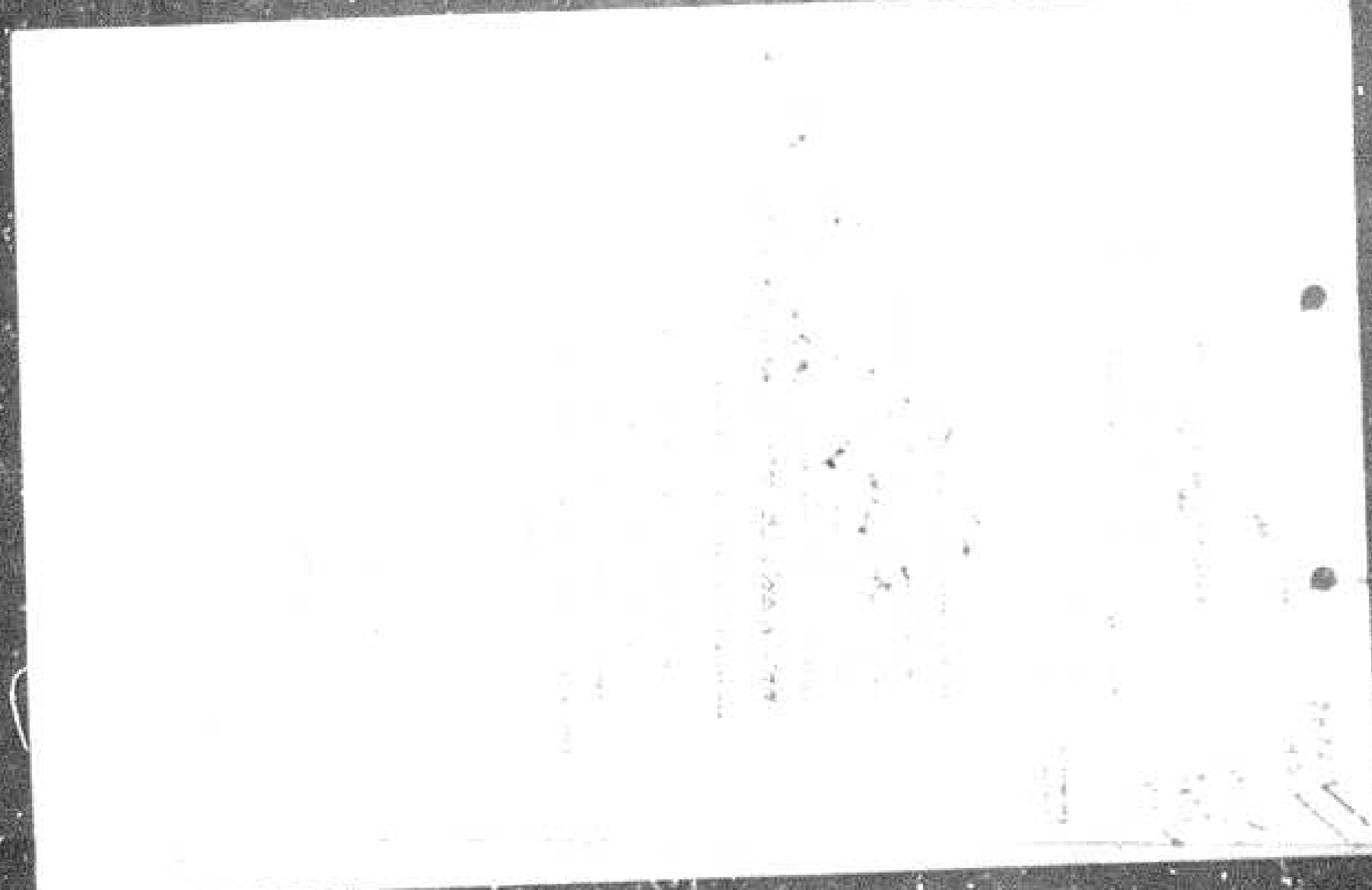
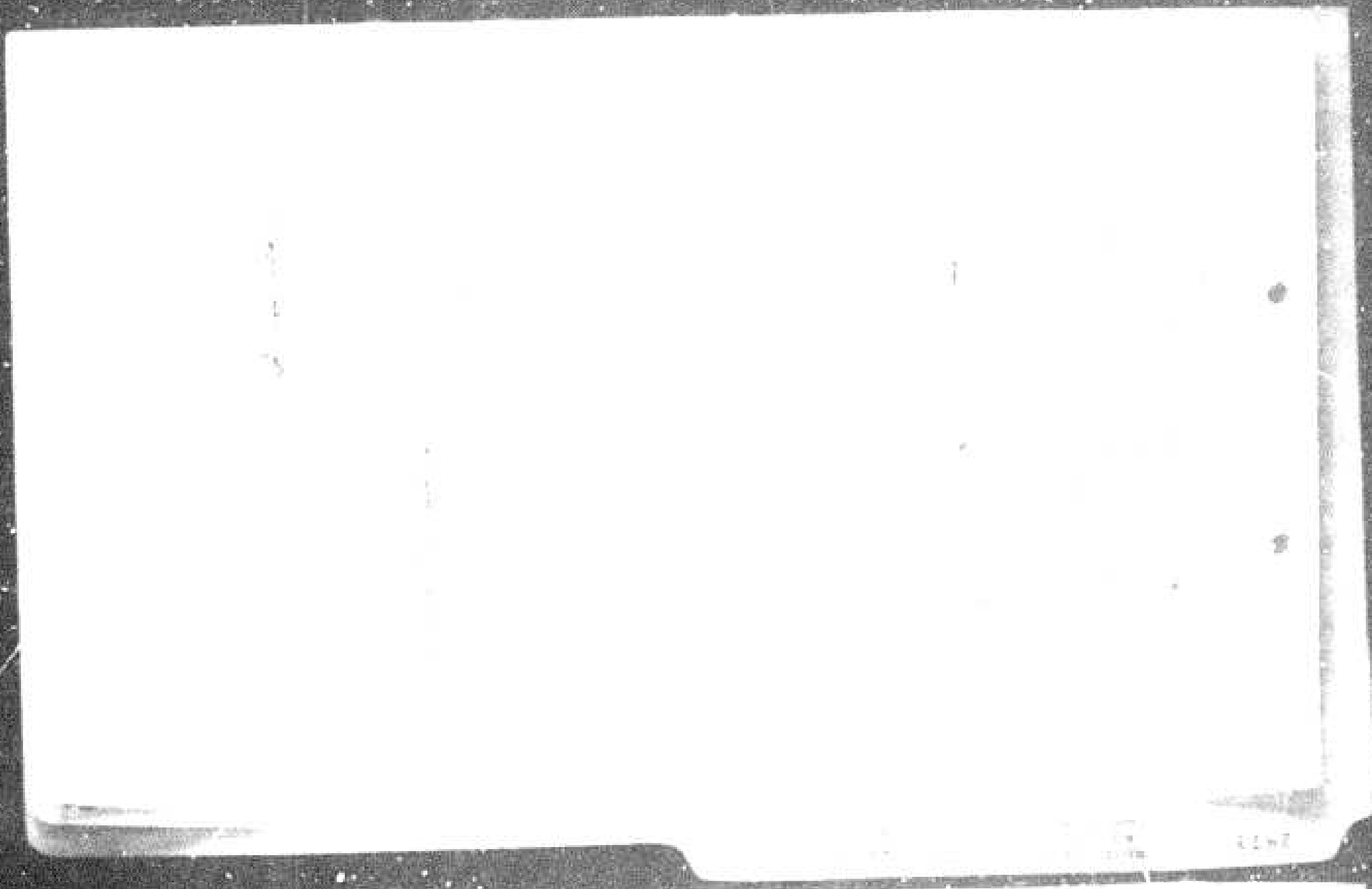
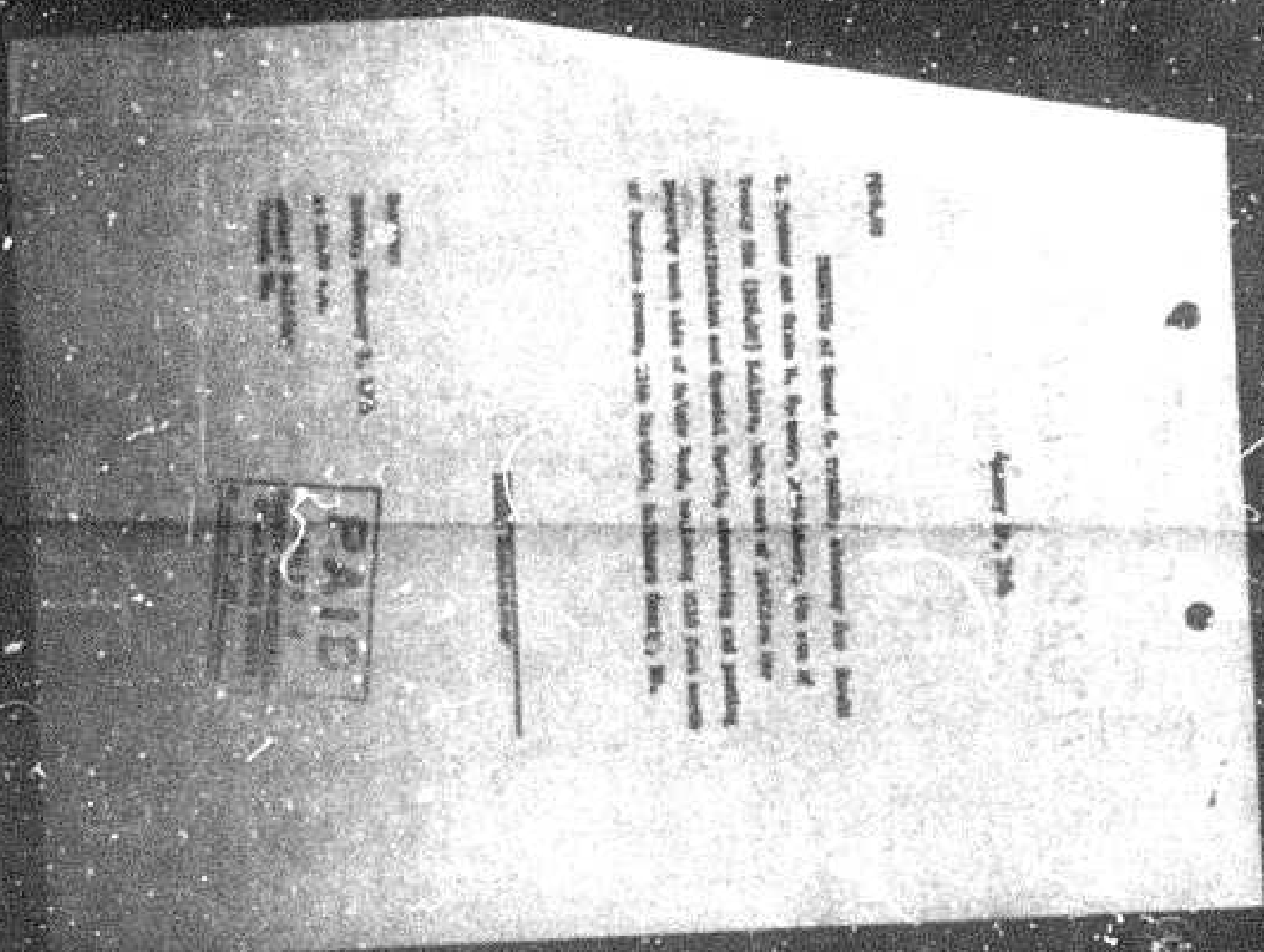
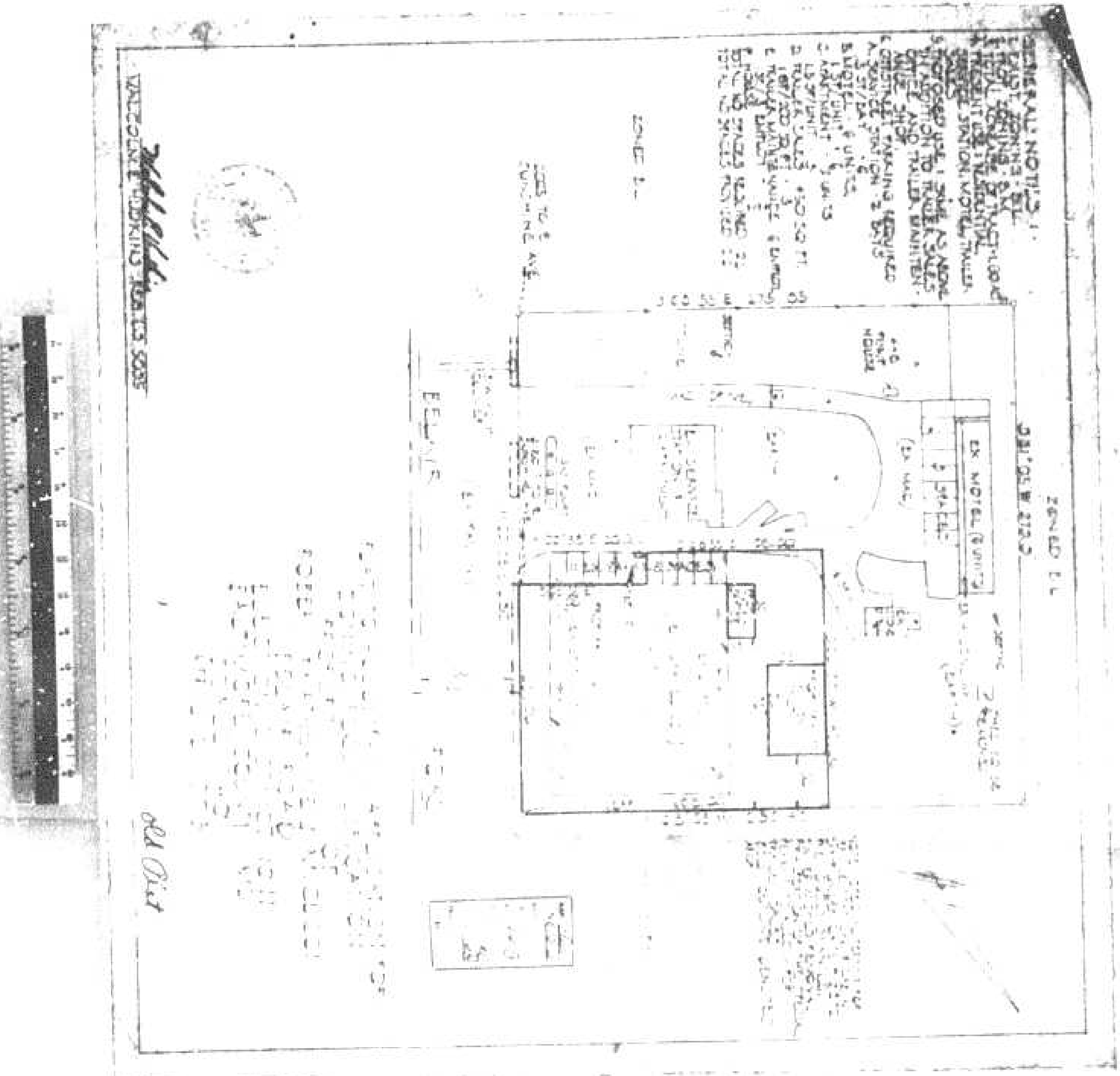
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EXHIBIT

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Case 82-280-SPH
appeal



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Case 82-280-SPH/A
appeal

