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| RE: PETITION FOR SPECIAL HEARING AND VARIANCE | * | BEFORE THE BOARD |
| 9402 Ryans Way; End of Ryans Way, 514' from c/line of East Joppa Road | * | OF APPEALS |
| 10th Election & 5th Councilmanic Districts | * | FOR |
| Legal Owner(s): Carlos Levine | | |
| Petitioner(s) | * | BALTIMORE COUNTY |
| | * | 2022-193-SPHA |

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**POINTS AND AUTHORITIES SUBMITTED BY THE OFFICE OF PEOPLE'S COUNSEL**

People's Counsel submits this supplement to the oral closing arguments as requested by the Baltimore County Board of Appeals panel ("CBA"). It is our understanding that the CBA requested a citation of legal authority on specific issues raised at the hearing, namely accessory uses and the terminology in the accessory use definition in BCZR 101.1. On that assumption, People's Counsel submits the following citations. Please advise if additional references on other specific issues are required.

***Statutory Construction: Conjunctive and Disjunctive***

Comptroller v. Fairchild Industries, 303 Md. 280, 285-286 (1985), 493 A.2d 341.

Reier v. Dept. of Assessments, 397 Md. 2, 32 (2007), 915 A.2d 970.

Wheeling v. Selene Finance, 473 Md. 356, 385 (2021), 250 A.3rd 197.

David N. v. Social Services, 198 Md. App. 173, 197-201 (2011), 16 A.3d 991.

MLE Statutes § 76.

***Accessory and Incidental Uses***

County Com'rs of Carroll County v. Zent, 86 Md. App. 745 (1991), 587 A.2d 1205.

Dampman v. City of Baltimore, 231 Md. 280,286 (1963), 189 A.2d 631.

Salkin, American Law of Zoning, 5th Edition, Accessory and Incidental Uses, Residential Uses § 9:28

Salkin, American Law of Zoning, 5th Edition, Glossary of Terms § 41:16 Accessory Building, Accessory Structure, Accessory Use

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14th day of April, 2023 a copy of the foregoing Points and Authorities Submitted by the Office of People's Counsel was emailed to Adam Rosenblatt, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, amrosenblatt@venable.com , Attorney for Petitioner(s).

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