

RE: PETITION #2658-S FOR A SPECIAL PERMIT FOR A DOG KENNEL, 675 feet southeast of Pfeffers Road, Eleventh District, Oren E. Newcomer and Marjorie A. Newcomer, his wife, Petitioners.

The appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on the 15th day of October, 1953, from an Order of the Zoning Commissioner of Baltimore County dated August 13, 1953, granting a special permit for a dog kennel in regard to the property described therein; and it appearing from the facts and evidence adduced at the appeal that the granting of the special permit for a dog kennel would not be detrimental to the health, safety, and general welfare of the community, and for reasons set forth in said opinion; therefore,

It is this 16th day of Nov, 1953, ordered by the Board of Zoning Appeals of Baltimore County that the special permit for a dog kennel be granted.

E. B. Campbell
Chairman

Carl F. Wilson

Samuel W. Sullivan
Board of Zoning Appeals of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal by Harry U. Riepe, Jr., from an Order of the Zoning Commissioner of Baltimore County dated August 13, 1953, granting a special permit for a dog kennel in regard to the property described in the petition.

The case came on for hearing before the Board, testimony was taken, and counsel heard.

The property which is the subject of this petition is a small piece of land 74 feet wide by 133.52 feet, situate in the midst of the petitioner's tract of land comprising 13.7 acres of land, more or less. The petitioner's property borders on Pfeffers Road, also known as Jones Road, at approximately 900 feet from the Pulaski Highway and is bounded on the south by the Baltimore and Ohio Railroad. The proposed kennels would be located at a distance of 675 feet, more or less, from Pfeffers Road and between 400 and 500 feet from the dwelling house of the appellant.

From the testimony in the case and from inspection of the property, the Board is of the opinion that establishing dog kennels under a special permit in this sparsely settled area would be a proper use of the land in question, and that the same would not be detrimental to the health, safety, and general welfare of the community; and it will, therefore, pass its Order granting a special permit for that portion of the land stated in the petition.

E. B. Campbell
Chairman
Carl F. Wilson
Samuel W. Sullivan
Board of Zoning Appeals of Baltimore County

FILED JUL 17 1954

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
Oren E. Newcomer
and
Marjorie A. Newcomer,
his wife
For a Special Permit
To The Zoning Commissioner of Baltimore County

Oren E. Newcomer Legal Owners
MARJORIE A. NEWCOMER, his wife Owners

herby petition for a Special Permit, Under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 677 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

All that parcel of land in the 11th District of Balto. Co., beginning for the same on a private right-of-way 675 feet southeast of Pfeffers Road (said right-of-way being 900 feet north of Pulaski Highway, thence the following courses and distances: North 39 degrees east 74 feet; South 51 degrees east 114 feet; South 39 degrees west 74 feet and thence North 31 degrees west 131.5 feet to beginning. Being property of Oren Newcomer as shown on plot plan filed with the Zoning Department.

Following:
BEGINNING for the same at a point South 31 degrees West 86 feet from the beginning of the North 31 degrees 44 minutes West 298-70/100 foot title line of the entire parcel owned by the said Oren E. Newcomer and

Oren E. Newcomer Legal Owner
Oren E. Newcomer, Owner and Agent for Marjorie A. Newcomer, his wife
Address

FILED AUG 19 1953 TELEPHONE 9-7334

BALDWIN & BOSLEY
ATTORNEYS AND COUNSELLORS AT LAW
727 PAUL STREET
BALTIMORE 2

August 17, 1953

Mr. Charles H. Doig,
Zoning Commissionary,
Towson, 4, Maryland

Re: Petition for a Special Permit for a Dog Kennel, 675 feet S.E. Pfeffers Road, 11th District, Oren E. Newcomer and wife, Petitioners

Dear Sir:

Mr. Harry U. Riepe, Jr., taxpayer and one of the protestants to the granting of the special permit in the above mentioned matter in which you passed an Order on August 13, 1953 granting the special permit, hereby enters an appeal to the Board of Zoning Appeals from such decision.

Please send all papers relative thereto to the Board of Zoning Appeals.

Charles H. Bosley
Charles H. Bosley
Attorney for Harry U. Riepe, Jr.

FILED JUL 17 1954

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
Oren E. Newcomer
and
Marjorie A. Newcomer,
his wife
For a Special Permit
To The Zoning Commissioner of Baltimore County

Oren E. Newcomer Legal Owners
MARJORIE A. NEWCOMER, his wife Owners

herby petition for a Special Permit, Under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 677 of the Acts of the General

Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

As erected thereon) hereinafter described for ~~improvement~~ is a 1 story concrete block dog kennel 14 ft. by 78 ft. with steel fenced runways 28 ft. by 80 ft. on one side of said building and 18 ft. by 20 ft. on the opposite side thereof, together with sufficient land for the servicing of said buildings comprising a lot 74 ft. by 133-52/100 ft., said entire parcel being described as follows:

BEGINNING for the same at a point South 31 degrees West 86 feet from the beginning of the North 31 degrees 44 minutes West 298-70/100 foot title line of the entire parcel owned by the said Oren E. Newcomer and

Oren E. Newcomer Legal Owner
Oren E. Newcomer, Owner and Agent for Marjorie A. Newcomer, his wife
Address

Re: Petition #2658-S for a Special Permit for a dog kennel, 675 feet south east of Pfeffers Road, Eleventh District, Oren E. Newcomer and Marjorie A. Newcomer, his wife, petitioners.

The applicants for a Special Permit for a dog kennel are the owners of a tract of land containing 13.7 acres. They desire to use a portion of said property 74 feet wide and 133.52 feet deep for a commercial dog kennel with 30 runs.

The area to be used is well within the 13.7 acre tract and is four or five hundred feet from the dwelling house of Mr. Harry U. Riepe, Jr., who protests the granting of the Special Permit on the ground that he does not wish any type of commercial use in the vicinity and particularly a dog kennel, because he thinks a dog kennel on the adjoining property to his will depreciate his property yet he raises and keeps cattle, partly as a hobby and partly for commercial purposes.

I do not believe the raising, keeping and boarding of a limited number of dogs on so small an area of the petitioner's property will any more depreciate Mr. Riepe's property than the raising and keeping of cattle by Mr. Riepe depreciates the petitioner's property.

The only difference I can see is that in the one instance, a Special Permit is required whereas in the other no permit is required. The keeping and raising of animals of various kinds on farms is an ancient custom and often is the main reason for coming and living on a farm.

I believe the requirement that one obtain a Special Permit for a dog kennel was intended to apply to thickly settled communities rather than the wide open spaces. The operation of a farm is in the nature of a commercial operation and I believe,

wife; and running thence South 31 degrees East 133 feet to a point; thence at right angles thereto, South 39 degrees West 74 feet to a point; thence parallel with the first line of this description, North 31 degrees West 133-52/100 feet; thence at right angles thereto, North 39 degrees East 74 feet to the place of beginning.

BEING a portion of that parcel of land containing 13-7/10 acres, more or less, which by deed dated June 17, 1944, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1248 folio 682, was granted and conveyed by Holmes D. Case and wife unto Oren E. Newcomer and wife; said property being situate in the Eleventh Election District of Baltimore County, State of Maryland, on Jones Road between Pulaski Highway and Old Philadelphia Road.

Oren E. Newcomer Legal Owner
Oren E. Newcomer, Owner and Agent for Marjorie A. Newcomer, his wife
Address

7/27/53
10

7/27/53
10

Towson, Maryland

#2658

District 11th Date of Posting 7-16-53

Posted for Special Permit for Dog Kennel

Petitioner: Ernest & Mary Ann A. Muench

Location of property: 8 1/2 acre, same as only quarter NW 6 25th S.E. of Jefferson Rd. (same NW being 90 ft. wide of Dulles Highway)

Location of Signs: one sign 500 ft. North of Dulles Highway on NW 6 S.E. of Jefferson Rd. another sign 675 ft. N.E. of Jefferson Rd. from the point of first sign

Remarks:

Posted by George R. Hummel Date of return 7-16-53

[illegible]

THE JEFFERSONIAN,
Dault
Manager

Cost of Advertisement, \$.....

823.00

RECEIVED of Owen L. Newcomer the sum of Twenty Three (\$23.00) Dollars, being cost of petition for a special permit, advertising and posting property, Jones Road, 11th District.

Zoning Consideration

PAID
JUL 6 1953
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *T. Keach*

August 19, 1953

\$22.00

HEKIVED of Charles E. Bosley, Attorney for Harr. U.
Klepe, Jr., protestant, the sum of Twenty Two (\$22.00) Dollars
being cost of a appeal to the Board of Zoning Appeals of Baltimore
County from the decision of the Zoning Commissioner of Baltimore
County granting a special permit for Dog Kennel on property
of Oren E. Newcomer, and wife, petitioners.

Zoning Commissioner

PAID
SEP 25 1953
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *M. H. H. H.*

