TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we...Thmodnru...Iiznik.......legal owner... 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 roning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an...

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations o. Baltimore County, to use the herein des ribed property, for ... riding academy.

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning Theodore Theruch is )

Address 809 Eastern Boulevard Baltimore, Maryland 21221

. 19871, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be had before the Zonin ore County in Room 106, County Office Building in Towson, Baltimore

Sini la Henra

May 9, 1972

RE: Case No. <u>72-13-X</u> NE/S Kaoch Road, 333' SE of Gun 13th District

Very truly yours.

S. ERIC DINEMIA

I am in receipt of your letter of May 2, 1972 in which you make inquiry into the above referenced case.

An Order was written April 10, 1972 which granted a Special Exception for the use of the property as a Riding Stable, Commercial, or Riding Academy,

On Ayril 24th, 1972 an Amended Order was written granting the same use, but incorporating the stipulation Agreement of Oceamber 20, 1971 between the company of the stipulation Agreement of Order storected the previous orders and will not have the force and efficiency of the Company of the C

If further explanation or additional information is required, please feel free to contact this office.

200

Address 505

Betts 27 Ms

RE: PETITION FOR SPECIAL EXCEPTION:
NE/S of Keech Road, 333' SE of
Gun Road - 13th District:
Dr. Theodore T. Niznik -Petitioner NO. 72-13-X (Item No. 177)

BEFORE THE ZONING COMMISSIONER

BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 24 and day of April, 1972, that the Order passed in this matter on April 10, 1972, and amended on April 12, 1972, should be and the same is hereby AMENDED to read "that a Special Exception for a Riding Stable, Commercial, or Riding Academy should be and the same is GRANTED, from and after the date of this Order, subject to the following:

1. All stipulations setforth in the Stipulation Agroement of December 20, 1971, executed by the attorneys for the parties hereto, said Agreement incorporated herein and made a part hereof.

There should be no hiring of horses for riding on what is commonly known as a horse trail on the premises.

RE: PETITION FOR SPECIAL EXCEPTION : Petitioner NG. 72-15-X (Item No. 177)

111 111 111

OF

: ALTIMORE COUNTY 111 111 111

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 12 day of April, 1972, that the Order, dated April 10, 1972, passed in this matter should be and the same more County" rather than the First District of Balcimore County

#/10/12

RECEIVED FOR FILING

May 21 . 1971

PETITION FOR SPECIAL EXCEPTION NE/S of Keech Road, 333' SE of Gun Road - 1st District Dr. Theodore T. Niznik -Petitioner NO. 72-13-X (Itam No. 177)

0

1/24

BEFORE THE OF

BALTIMORE COUNTY

The Petitioner requests a Special Exception for a Riding Commercial, or a Riding Academy for a parcel of property located on the northeast side of Keech Road, three hundred and thirty-three (333) feet southeast of Gun Road, in the First District of Baltimore County, containing 10.5 acres of land, more or

Testimony on behalf of the Petitioner indicated that the property involved is his residence and that they have resided there since 1960. Dr. Niznik's wife and Jaughter have been interested in 4-H work for several years, and, in fact, his wife is a

The purpose for the request for the Special Exception is to conduct horse shows and give instructions to children who wish to learn how to ride horses. Also, the Petitioner indicated that tion purposes. It was further indicated by the Petitioner that horses would not be hired out for riding trails, etc.

Several residents of the area appeared in protest, but

without reviewing the evidence further in detail but based or all the evidence presented at the hearing and the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations having been met, in the judgment of the Zoning Commissioner, the subject Special Exception should be granted subject to the

All stipulations setforth in the Stipulation Agreement of Downber 20, 1971, executed by the attorneys for the partie, hereto, said Agreement incorporated herein and made a part hereof.

There should be no hiring of horses for riding on what is commonly known as a horse trail on the premises.

0

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_ day of April, 1972, that a Special Exception for a Riding Stable, Commercial, or Riding Academy should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Mrs. John G. White Jr. 409 Gum Road Raltimore, Maryland 21227

Mr. S. Eric DiMenna Zoning Commissione: County Office Building 111 W. Cheespeake Aven Towson, Maryland 212C4

Nay 2, 1972

FRANK S. LEE

Northeast side of Keech Hoad 333 feet southeast of Gun Road 1st District Baltimore Jounty, Maryland

Beginning for the on the acrthesst side of Zeech Hoad at the morthwest side of Keech Road at the morthwest side of Keech Road from the contenst side of O and Hoad, and these theoretical side of the side of the

Dear Sir.

Re: MissAk Petition for Special Exception , Item #177

At that date was the Zoning Commissioners Order legally applicable to the aforesaid petition?

At what date was the Stipulation Agreement between the O Historical and Protective Association and the Himiks, a legally binding?

3. If the April 10, 1972 date is upheld, please refer me to the administrative regulation that is supportive of your decision.

Sincerely. Kaye B White

(Mrs. John G. White Jr.)

CC: Mr. Richard Payne

Mrs. John G. White, Jr. 409 Gun Roed Baltimore, Meryland 21227

Dear Mrs. Whites

Richard Payne, Esq., 26 W. Fennsylvania Avanua (21204)

JUN 08 1972

ċ.

ZONING COMMISSIONER

\_\_\_

: BALTIMORE COUNTY

## 11 11 11 11 11 11 11 11

## STIPULATION AGREEMENT

Proposed restrictions on the property of Dr. and Mrs. Theodore 7. Niznik to be made part of the Zoning Commissioner's Order pertaining to the above captioned Petition for Special Exception:

- 1. Incress and egress to the Nizatks property in connection with the use of the special exception shall only be through the existing driveway on the Nizniks property, or by means of Keech Road. That in connection with the use of the property for the purposes granted in the special exception, the Nizniks are prohibited from using any private right-of-way across adjoining properties.
- 2. That the Nizniks shall provide adequate parking facilities on their own property; and at the time clinics, shows and public gatherings are in progress they will require all participants to pack on the petitioners' property.
- 3. It is agreed that shows and clinics consisting of at least 15 participants and a maximus of 25, shall be limited to eight (8) per year, and that at such shows and clinics, there shall be no more than 90 people present; this number to include both participants and spectators. For purposes of this paragraph, the words, "snow" and "clinic" shall be defined as follows: "Show" is defined as various demonstrations or exhibits of horses for the purpose of competition among the participants conducted in either an outdoor or inside ring. "Clinic" is defined as various demonstrations or exhibits of horses for purpose of instruction to participants pertaining to various aspects of horsevanship and horse care.

4. Concession stands for the sale of food or beverage would be operated only at time of shows, and then only for the use of participants and spectators. No alcoholic beverages would be

- 5. There shall be no buildings or structures of any kind within 50 feet of adjoining property lines, and no parking of any vehicles within 25 feet of adjoining property lines.
- 6. All portable toilets which shall be required, can only be erected for a clinic, show or public gathering, and shall be screened from view of the road and from adjacent property owners, and shall be removed from the premises immediately following the clinic, show or public gathering.
- 7. There shall be no commercial hiring of horses for use off the premises.
- 8. There shall be no horse or pony shows held on the premises other than as provided for above.
- 9. There shall be no public auction of horses or livestock on the premises for benefit of any private party, other than the
- 10. There shall be no tack shop or other shop for the sale of riding and horse equipment on the premises.
- 11. The petitioners shall not display signs on the exterior of their property other than the designation of their name and house number or address; except that they shall be allowed to erect one (1) sign at the entrance to their property not to exceed 2'  $\times$  4' in size, non-illuminated. This sign also to be of a residential nature of identification rather than a commercial advertisement type sign.

12. The hours of outside instruction on the precises shell be limited from 8:00 a.m. until Sunset; the hours of instruction inside shall be from 8:00 a.m. until 10:00 p.m. By inside is

- 16. It is understood and agreed that any zoning order

and Protestants this 20th day of December, 1971.

Richard D. Payne, 26 W. Pennsylvania Avenue Towson, Maryland 21204 828-8990

meant a completely enclosed, building.

13. Lighting, if required by the Nizniks, shall be arranged in such a manner as to be directed towards the ground and away from the adjacent property owners.

14. Petitioner agrees to meet all health standards pertaining to the upkeep and maintenance of the barn and horses located

15. No sound amplification apparatus shall be used on the premises, except for the purposes of giving instructions and making announcements to participants in the horse shows and clinics, and for no other purpose. There shall be no continuous amplification of music or talk or entertainment of any kind over the

approving said special exception, including the above mentioned restrictions, would be granted to the Petitioners, Dr. and Mrs. Theodore T. Niznik, their heirs and assigns.

AGREED AND ACKNOWLEDGED by the attorneys for said Petitioners

809 Easkern Boulevard Baltimore, Maryland 21221 686-8274 ATTORNEY FOR PETITIONERS

ATTORNEY FOR PROTESTANTS

. ....

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 22, 1971

Robert J. Romačka, Esq., 809 Eastern Blvd., Baltimore, Haryland 21221

RE: Type of Mearing: Special Exception Location: NE/Cor. Gun & Yeach Rds. Petitioner: Theodore Niznik Committee Meeting of June 8, 1971

OL: CRI MYTH

BURGAT OF

STATE MORNING

BOARD OF SELECT

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced potition one has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located at the intersection of Gun and Keech Roads. It is currently improved with existing challing and horas stable. There is no existing curb and gutter along Gun or Keech Road at this location.

## BUREAU OF ENGINEERING:

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

## Highwayss

Dum Bod, an editing County road, is promoted to be improved as a first closed type highesy cross section on a 70 foot right road to the property of the country of required at this time. Highesy right of any and highery right of way widening all the required in the future from the property. The petitioner is addised to consult with the Chird of the Street, Post and Bridge Dasign Group of the Battleare County Burnet of Engineering in regard theratom.

Keech Road, an existing County asintelned road, was recently constructed by the State Roads Commission of harylandes a 20 feet privid open type highest press section on a right way of varying width. This road is proposed to be depreced in

Robert J. Romacka, Esq. Item 177 Page 2, 1971

the future as a 30 foot closed type highway cross section within the existing right of way. No further highway improvements are required at this time.

The entrance locations are subject to approval by the Depart of Traffic Engineering, and shall be constructed in accordance with Maltimore County Standards.

## Sédiment Control:

Development of this property through stripping, grading and stabilization could result in a sadiment pollution problem, damaging private and public holdings domastream 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.

The petitionor must provide necessary draining facilities (temporary or perminent) to prevent creating an, nulsance or demands to adjust the distribution of demands to adjust and on the distribution of draining facilities, would be the full ruspossibility of the petitioner.

### Waters

Public water supply is available to serve this property.

## Sanitary Sewer:

Public sanitary sowerage is not evailable to serve this property which is utilizing a private on site sewage system.

It is noted that utility easements will be required through this property in the future to provide public drainage and severage facilities.

## DEPT. OF TRAFFIC ENGINEERING:

The subject variance should have no major effect on trip density. BUILDINGS ENGINEER'S OFFICE:

At this time no comment from this office.

0

### FIRE PREVENTION BUREAU:

This office has no comment on the proposed site.

## BOARD OF EDUCATION:

No bearing on student population.

### HEALTH DEPARTMENT:

Public water and sewers are available to the site.

The owner must comply with the "Housing and Sale of Animals Section" (Section 3-37) of the Baltimore County Code of 1968.

# ZONING ADMINISTRATION DIVISION:

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

Very truly yours,

Clair & Myin OLIVER L. MYERS, Chairman

OLH: JO



# CERTIFICATE OF PUBLICATION

TOWSON, MD. July 8 19.71.

..... 19...71, the the publication appearing on the 8th day of July

L. Leanh Street

## OFF OF CATONSVILLE TIMES CATONSVILLE, MD. 21228 JULY 12 - 19 71

THIS IS TO CERTIFY, that the annexed advertisement of

The Zening Commissioner of Baltimore County

was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub lished in Baltimore County, Maryland, once a week for

vector week he fore the 12 day of July 1971, that is to say the same was inserted in the issue of July 8, 1971.

STROMBERG PUBLICATIONS, Inc.

1. Luta Morgan

-- 11. m. .

518N 73-13-X

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Termon	, Maryland
District / SPECIAL EXCEPTION	Date of Posting . J. 9.14 . 10 - 197/
Petitioner DR. THEOdor: WIZKI	
Location of Signa: (2) 505 GUN P.	d.
Remarks:	

Robert J. Roundka, Esq. Sep Castern Blvd., Beltimore, Md. 21221 BALTIMORE COUNTY OFFI	Item 177
111 W. Che	fice Building sapeake Avenue saryland 2120k
Your Petition has been	received and accepted for filling this
Suh 1	day of
	Educat D. Hardesty EDMARD D. HARDESTY, Zoning Commissioner
Petitioner Theodore Misnik	- M Im

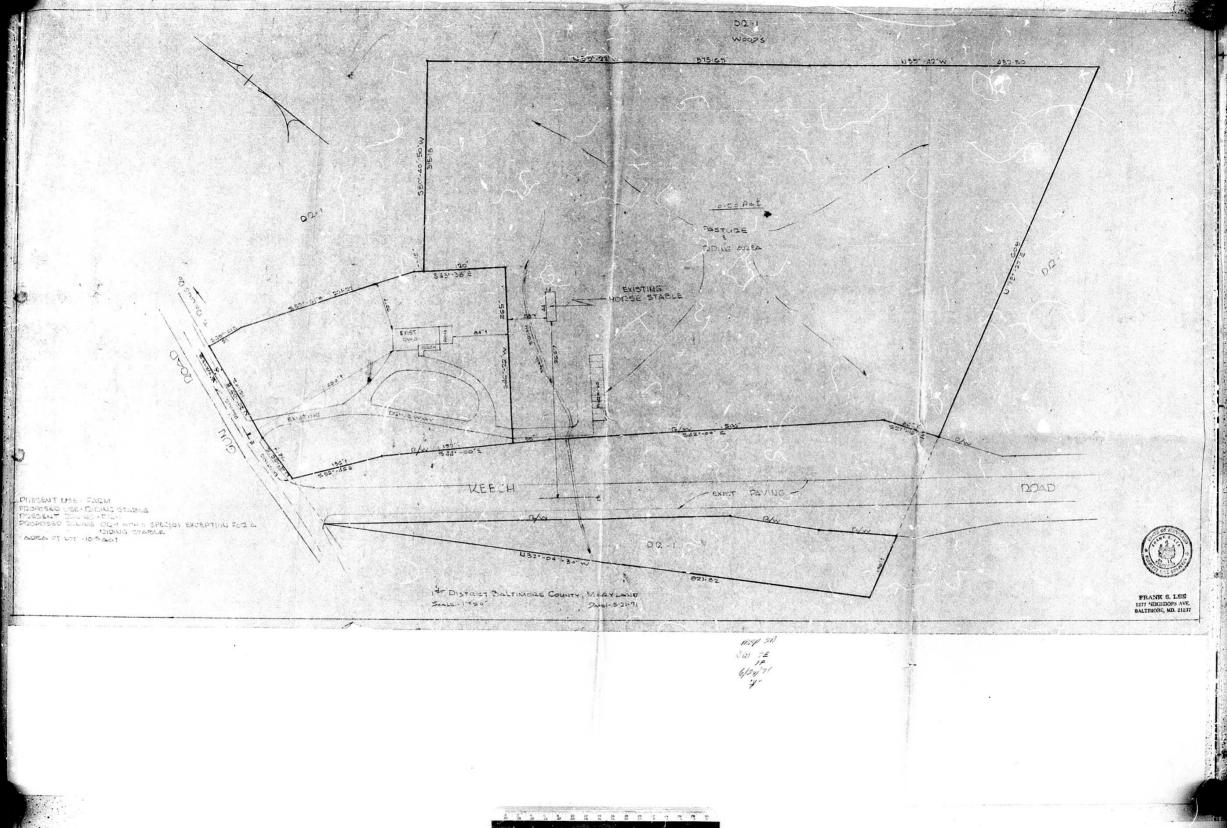
PETITION	M	APPII	40	PKC						_
Most Common Section	Wall Map		Original		Duplicate		Tracing		200 Sheet	
FUNCTION		by	date	ьу	date	by	dote	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: Nor	ll.	4		Chan	ed Pl ge in o	utline	or de	script		_Ye _No

MARANS	BALT MORE COUNTY, MARY AND	81282
		ay 6, 1971
	Review Division COURT HOUSE TOWSON, MARYLAND 21204	
To:	Zoolog Dapt. of Boltinore (	centy
	lert & Russin, 184. ) Endern Blvik. 1881, Nd. 21221	
DEPOSIT TO	ACCOUNT NO. 01-622 RETURN THIS PORTION WITH YOUR DEMITTANCE	107AL AMOUN
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST
- A A	recition for Special Enception for Dr. Theodore (Fimilia 673-13-X	50.00
⊋ ⊕ D C mo		

MAIL TO OFFICE OF FINANCE, REVENUE DIVISION COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE 494-2413		4908
To:	Renders T. Stanffe, R.L. Saning Rept. of Self-same County St. Con Stand Millioner, Sp. 2027	
SEPOSIT TO	ACCOUNT NO. RETUGN THIS PORTION WITH YOUR REMITTANCE	HIN"
0 4531 27	OEXCE ALONG PERFORATION AND REET THIS PORTION FOR YOUR RECORDS Advertising and practing of property (Re-1)-12	coar
46.75		

- ILINEU



JUN 08 1972