

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Theodore Niznik, 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 zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described 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 regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser
Address _____
Robert J. Monaska
Petitioner's Atty
Address _____
Protestant's Attorney

Address 809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1972, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1972, at 1:30 o'clock.

Deputy Zoning Commissioner of Baltimore County.

Mrs. John G. White, Jr.
409 Gun Road
Baltimore, Maryland 21227

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

Dear Mrs. White:

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 April 12, 1972 an Amended Order was written granting the same use, but correcting the Election District to the 13th.

On April 24th, 1972 an Amended Order was written granting the same use, but incorporating the Stipulation Agreement of December 20, 1971 between the petitioner and protestants. This Amended Order supercedes the previous orders and will not have the force and effect of law until May 25, 1972. This is to allow thirty (30) days in which either party can exercise their right to appeal.

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

Very truly yours,

S. ERIC DINEHIA,
Zoning Commissioner

SED:JSH:JD

cc: James E. Oyer, Deputy Zoning Commissioner
James D. Byrnes, III Zoning Tech. II

Richard Payne, Esq.,
26 W. Pennsylvania Avenue (21204)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
NE/S of Keach Road, 333' SE of : ZONING COMMISSIONER
Gun Road - 13th District :
Dr. Theodore T. Niznik - :
Petitioner : OF
NO. 72-13-X (Item No. 177) : BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this _____ 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 Agreement of December 20, 1971, executed by the attorneys for the parties hereto, said Agreement incorporated herein and made a part hereof.
2. There should be no hiring of horses for riding on what is commonly known as a horse trail on the premises.
3. The approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning."

Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
NE/S of Keach Road, 333' SE of : ZONING COMMISSIONER
Gun Road - 13th District :
Dr. Theodore T. Niznik - :
Petitioner : OF
NO. 72-13-X (Item No. 177) : BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of April, 1972, that the Order, dated April 10, 1972, passed in this matter should be and the same is hereby AMENDED to read, "in the Thirteenth District of Baltimore County" rather than the First District of Baltimore County.

Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE 4/24/72
BY J. H. HARRIS, JR.

Northeast side of Keach Road 333 feet southeast of Gun Road
1st District Baltimore County, Maryland

Beginning for the on the northeast side of Keach Road at the distance of 333 feet measured in a southeasterly direction along the northeast side of Keach Road from the southeast side of Gun Road, and then thence running and blinding on the northeast side of Keach Road the three following courses and distances, South 44 degrees 00 minutes East 55 feet, South 42 degrees 00 minutes East 500 feet and South 21 degrees 15 minutes East 66 feet thence leaving Keach Road for six lines of division as follows: North 73 degrees 57 minutes East 609 feet, North 39 degrees 42 minutes West 432.50 feet, North 39 degrees 00 minutes West 575.69 feet, South 50 degrees 40 minutes 50 seconds West 315.13 feet, South 43 degrees 38 minutes East 120 feet and South 46 degrees 22 minutes West 205 feet to the place of beginning.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
NE/S of Keach Road, 333' SE of : ZONING COMMISSIONER
Gun Road - 1st District :
Dr. Theodore T. Niznik - :
Petitioner : OF
NO. 72-13-X (Item No. 177) : BALTIMORE COUNTY

The Petitioner requests a Special Exception for a Riding Stable, Commercial, or a Riding Academy for a parcel of property located on the northeast side of Keach 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 less.

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 daughter have been interested in 4-H work for several years, and, in fact, his wife is a 4-H leader.

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 he would board horses but only those which are used for instructional 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 since the time of the hearing an Agreement between the Protestants and the Petitioner has been submitted to the Zoning Commissioner.

Without reviewing the evidence further in detail but based on 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 following:

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

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

Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE 4/24/72
BY J. H. HARRIS, JR.



Mrs. John G. White Jr.
409 Gun Road
Baltimore, Maryland 21227

Mr. S. Eric Dinehia
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

May 2, 1972

Dear Sir,

Re: Niznik Petition for Special Exception, Item #177

Please reply upon receipt.

1. At what date was the Zoning Commissioners Order legally applicable to the aforesaid petition?
2. At what date was the Stipulation Agreement between the Gun Road Historical and Protective Association and the Nizniks, et al., 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,

(Mrs. John G. White Jr.)

cc: Mr. Richard Payne
26 W. Pennsylvania Avenue

JUN 08 1972

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: July 10, 1971
 Posted for: SPECIAL EXCEPTION
 Petitioner: DR. THEODORE WIZNIK
 Location of property: DEPT. OF HEALTH BLD. 337 FT. SE. OF CON. RD.
 Location of Sign: 505 GUD RD.
 Remarks:
 Posted by: Robert J. Rueda Signature Date of return: July 22, 1971

Robert J. Rueda, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221

Item 177

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing this

8th day of June, 1971

Edward D. Hardisty
THOMAS D. HILGERT
Zoning Commissioner

Petitioner: Theodore Wiznik

Petitioner's Attorney: Robert J. Rueda

Reviewed by: Thomas D. Hilgert
Chairman of the
Advisory Committee

PETITION MAPPING PROGRESS SHEET

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>J.R. Miller</u>	Revised Plans:									
Previous case: <u>None</u>	Change in outlines or description: Yes ☐ No ☐									
	Map # <u> </u>									

TELEPHONE
494-8413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 84908

DATE: July 27, 1971

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

To: Thomas T. Miznik, R.S.
301 Oak Road
Baltimore, Md. 21227
Being Dept. of Baltimore County

REPORT TO ACCOUNT NO. 01-422

QUANTITY DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS TOTAL AMOUNT

46750	4	Advertising and posting of property 972-13-1	
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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE
494-8413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 81288

DATE: July 6, 1971

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

To: Robert J. Rueda, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221
Being Dept. of Baltimore County

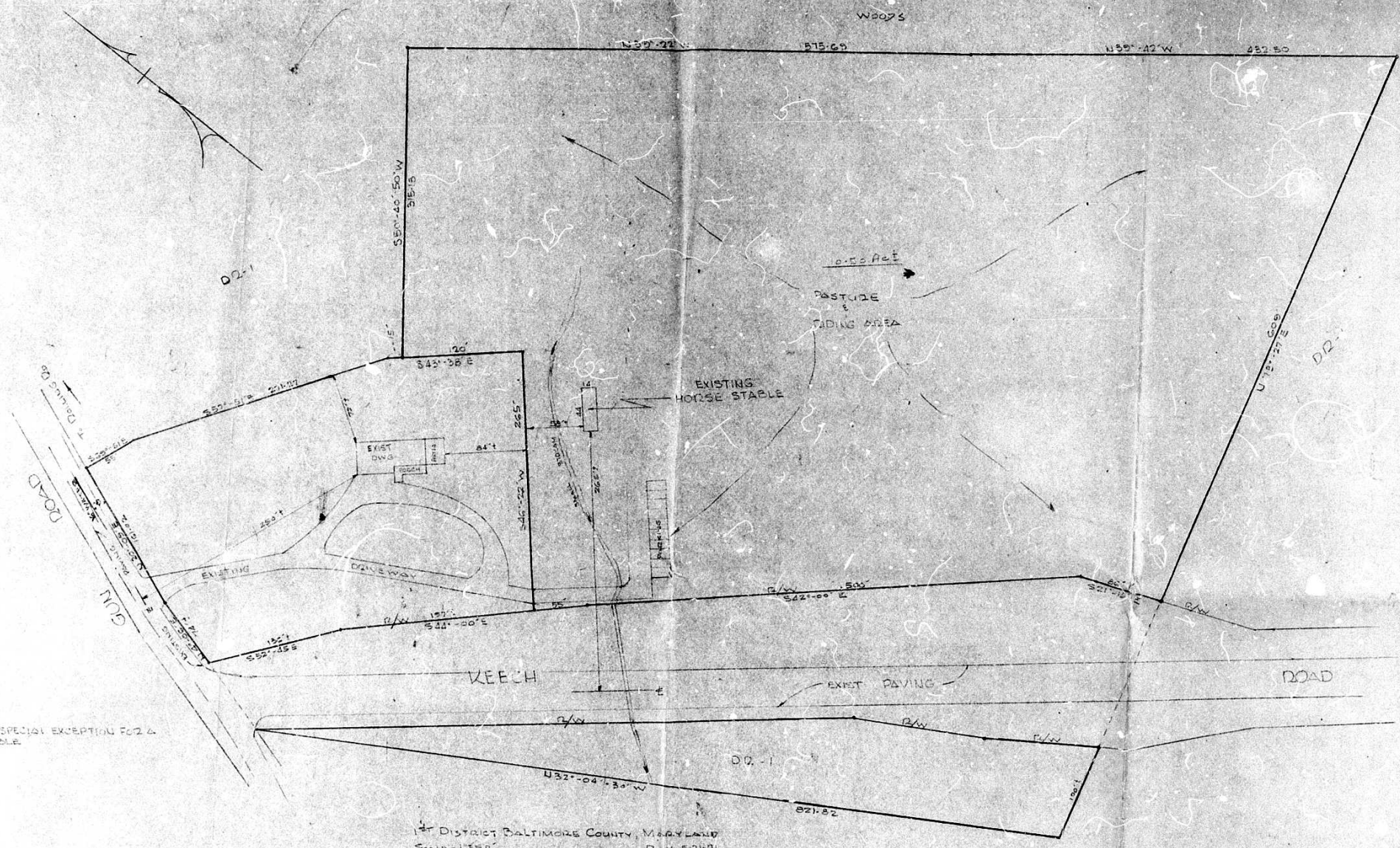
REPORT TO ACCOUNT NO. 01-422

QUANTITY DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS TOTAL AMOUNT

7	7	Petition for Special Exception for Dr. Theodore Miznik 972-13-1	50.00
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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

D2-1
W8073



PRESENT USE - FARM
 PROPOSED USE - RIDING STABLE
 PRESENT ZONING - R-1
 PROPOSED ZONING - D2-1 WITH SPECIAL EXCEPTION FOR 2
 RIDING STABLE
 AREA OF LOT - 10.5 AC.

1st DISTRICT BALTIMORE COUNTY, MARYLAND
 Dated 5-21-71
 Scale 1" = 50'



FRANK S. LEE
 1277 NEIGHBORS AVE.
 BALTIMORE, MD. 21237

map 21
 1/2" = 1' E
 1/4" = 1' E
 1/8" = 1' E
 1/16" = 1' E

