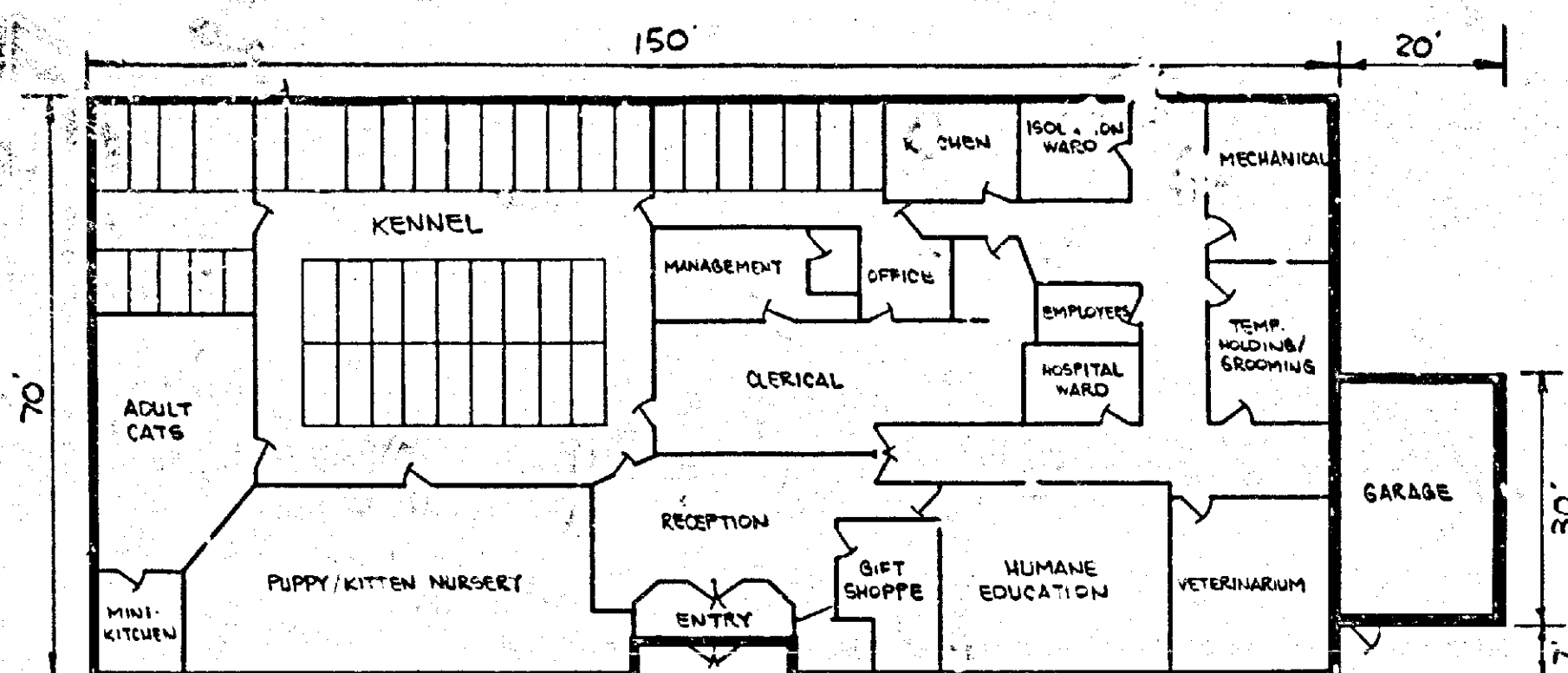
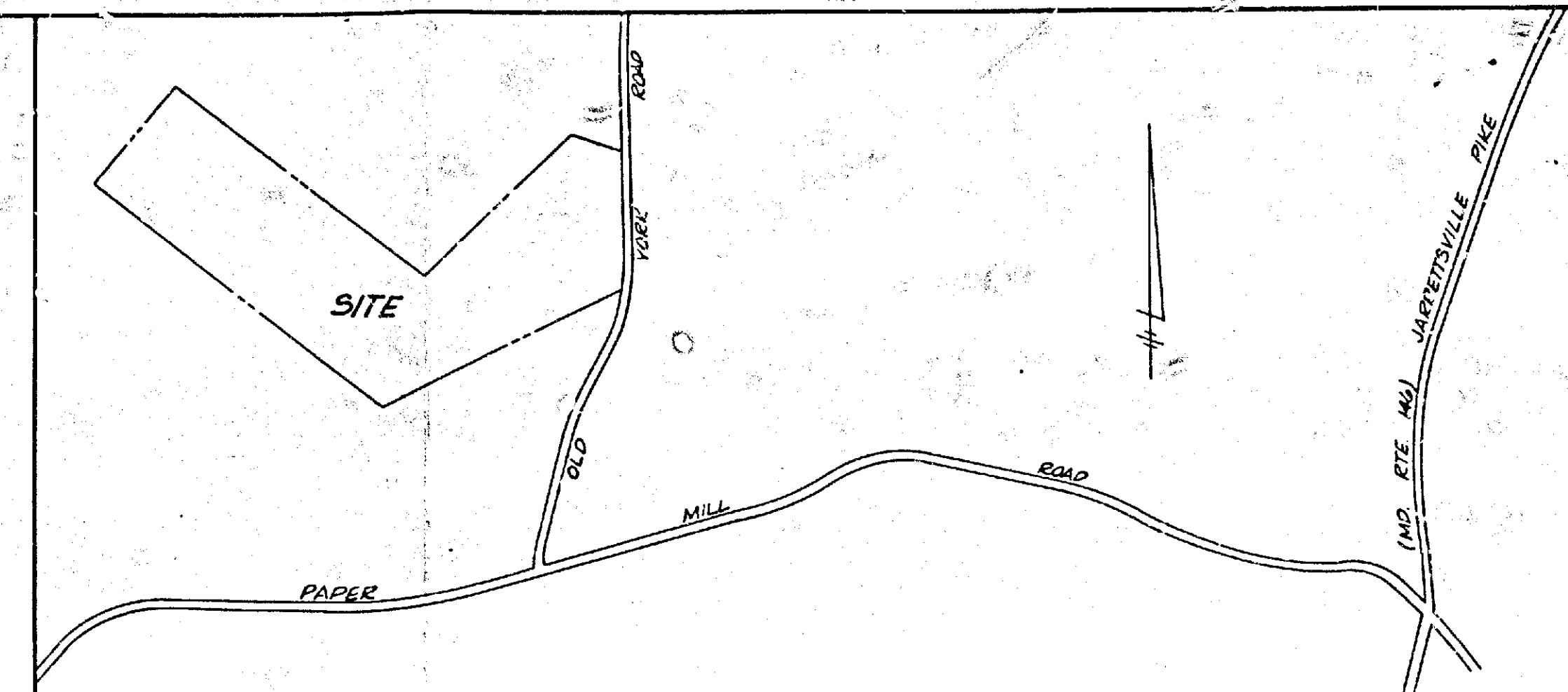




FLOOR PLAN
SCALE: 1" = 20'

- The proposed building and uses shall be located within the 1.22 portion of the subject property.
- Compliance with the Baltimore County Ordinance and all of the Baltimore County Ordinance shall be maintained at all times.
- The proposed veterinarian shall be located within the main shelter building. No outdoor animal runs shall be permitted. No and over ground construction shall be used for the veterinarian or that no animal odor or sound, other than normal sounds associated with the animals housed in the paddock area, may extend beyond the boundaries of the subject property. The sound level at the boundary from the veterinarian shall not exceed 55 decibels sound level.
- The building exterior shall have the appearance of a professional building. It shall be constructed of brick or stone, not exceed 70' x 50' in area, and have a 30' x 30' attachment enclosed garage with electric doors.
- The wildlife protection shall be posted "no trespassing" and closed to both the public and the owners of the property.
- The drive and building, along or within the north, east and south boundary lines shall be maintained.
- The building shall be located on the small farm, shall not exceed 100' x 100' and shall be located in such a manner that no more than four large domestic animals at any one time.
- The building shall provide water and two sewage systems to be approved by the Department of Public Works.
- Shall be air conditioned and be washed into the sewer system and contained in tightly closed plastic until removal from the premises.
- The facilities shall be manned 24 hours a day by no less than two employees.
- There shall be no sleeping facilities provided for employees or volunteers.
- Activities, uses and services, except for the care of animals, maintenance of facilities, telephone contacts, and animal pick up, shall be restricted to Mondays thru Saturdays, from 9 a.m. to 6 p.m., except for emergency services.
- The facility shall be operated by a nonprofit organization only, and every such organization shall place into the land records of Baltimore County a restriction of nonprofit operation and notice that upon sale to a profit making organization in the special case, the profit shall be 10%.
- The driveway and parking area shall comply with the Baltimore County zoning regulations.
- Emergency electrical power facilities shall be provided so that in the event of a power failure, sound and odor proof features of the veterinarian shall be maintained.

- Other lights shall be located and arranged to reflect the light away from adjacent properties and no more than 100' from the property at any time.
- No animal picked up in the society's trucks shall only be allowed to leave the garage doors are to be manually closed during the unloading.
- Volunteer services shall only be provided for abandoned animals in the care of the society.
- Compliance with Section 3 of the BPCA Code.
- Only one identification sign, no larger than six square feet, shall be permitted.
- A farm conservation plan shall be prepared by the Baltimore County "all Conservation Districts" implemented as per the schedule established, and the subject property is to be maintained accordingly for the life of the proposed use.
- There shall be no cremation or burial of animals on the property. The carcasses of large animals shall be removed from the property immediately, and the carcasses of small animals shall be stored in a freezer until removed to the Department of Public Works.
- All improvements must be completed and a vehicle purchased for animal pick up before approval of an occupancy permit.
- A proposed site plan shall be submitted indicating the uses of the proposed 70' x 100' building shown on the site plan, incorporating all of the above conditions, and approved by the Department of Public Works, and the Department of Planning and Development Division.



CLARK MURPHY, JR.
5307/974, 4753/510

GENERAL NOTES

- EXISTING ZONING: RC-2 & RC-4
- DEED REFERENCE: 3225/293
- GROSS AREA: - - - 35.81 ACRES
- SITE IS ENTIRELY WOODED.

PARKING DATA

- TOTAL FLOOR AREA: - - - 70' x 150' = 10,500'
- NO. OF SPACES REQUIRED: - - 10,500' / 300' = 35 SPACES
- NO. OF SPACES PROVIDED: - - 37 + 2 HANDICAP = 39 SPACES
- PARKING TO BE HEAD-IN PARKING ONLY

H. D. HOLMES, INC.
5291/351

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: d.c.o.
DATE: 4/1/83
BY: [Signature]
DATE: 4/1/83
ZONING COMMISSIONER
80-48
C-47-83

OVERALL SITE PLAN

DEFENDERS of ANIMAL RIGHTS Inc.

10TH ELECTION DISTRICT BALTIMORE CO., MD.

SCALE: 1" = 100'

DATE: MARCH 6, 1983

McKEE AND ASSOCIATES
CIVIL ENGINEERS AND LAND SURVEYORS
1717 YORK ROAD - LAN LEA BUILDING - LUTHERVILLE, MD. 21093



Mrs. Jean M. H. Jung,
Deputy Zoning Commissioner
Page 3
September 28, 1979

actual wording of the special exception proviso which provides that same is "subject to the provisions of Section 421.1". The intent of the County Council was that because of the nature of the use that the set-back prohibitions be in fact a restriction on use as opposed to an area limitation which would permit a variance therefrom under Section 307.

It is of paramount importance that there be uniformity in the application of zoning as well as all other laws. In this connection, the appellate process as set forth in the Baltimore County Zoning Regulations, pursuant to the Express Powers Act, provides for dissatisfied litigants to appeal first to the County Board of Appeals, then to the Circuit Court for the County and subsequently to the Courts of Appeal in Annapolis. The Circuit Court for Baltimore County having decided the issue in question, it is respectfully submitted that the Commissioner is legally bound to adhere to the decision of that Court that would in fact be part of the appellate process were an appeal noted from the instant decision.

The rationale underlying Judge Haile's decision is fully supported by the general area and height requirements with respect to such structures as office buildings and dwellings when contrasted with a kennel and a veterinarian. The wisdom of precluding the noise of a kennel as a restriction on use as opposed to the restriction on a building is readily apparent.

It necessarily follows that once the Commissioner denies the variance that then as a matter of law the special exception must also be denied as the special exception is contingent upon compliance with Section 421 and compliance not being had the special exception may not be granted.

Protestants further submit that quantum and quality of the opposition established that granting of the special exception would not be in the best interest of the health, safety or general welfare of the community. It is interesting to note, as established by the Commissioner's probative questions, that the so-called Defenders of Animal Rights, albeit qualifying for treatment as a non-profit corporation by the Internal Revenue Service is in reality the creation and creature of the Kovics.

Mrs. Jean M. H. Jung,
Deputy Zoning Commissioner
Page 4
September 28, 1979

It is respectfully submitted that both the request for special exception and the variances should be denied.

Very truly yours,

Edward C. Covahey, Jr.
Edward C. Covahey, Jr.

ECC/pa
cc: Robert J. Romadka, Esq.
Lawrence B. Scally, Esq.
Clarke Murphy, Jr., Esq.
Thomas J. Peddicord, Jr., Esq.
Mr. Palmer C. Williams

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

WILLIAM F. HAMMOND
ZONING COMMISSIONER

July 23, 1980

Robert J. Romadka, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

RE: Petitions for Special Exception
and Variance
E/S of Old York Rd., 1900' N of
Paper Mill Rd. - 10th Election
District
Mary Testudine, et al - Petitioners
NO. 80-48-XA (Item No. 220)

Dear Mr. Romadka:

After due consideration of the fact that in the case of "Walter Ross Rummage, et ux", Case NO. 76-138-A, Judge Haile rendered a pertinent decision as recently as August 3, 1979, and of the following correspondence: Romadka, October 12, 1979; Romadka, October 30, 1979; Scally, November 1, 1979; Romadka, November 2, 1979; Covahey, November 5, 1979; Romadka, June 11, 1980; Covahey, June 13, 1980; and Peddicord, June 16, 1980, and of possible procedures relative to this situation, it is my conclusion that the revised zoning site plan, perk plan and Baltimore County Health Department letter will not be accepted by this office, included in the file or considered in making my decision. I am, therefore, returning these three documents to you.

For the record, these documents have not been reviewed by me, and I shall proceed in my determination of the case.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Enclosures

Robert J. Romadka, Esquire
July 23, 1980
Page 2

cc: Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

Thomas J. Peddicord, Jr., Esquire
504 Baltimore Avenue
Towson, Maryland 21204

Lawrence B. Scally, Esquire
8901 Harford Road
Parkville, Maryland 21234

Clarke Murphy, Jr., Esquire
700 Keyser Building
Baltimore, Maryland 21202

98-1417
MARY TESTUDINE, et al
80-48-XA
SCALLY & SCALLY, P.A.
ATTORNEYS AT LAW
(301) 661-8590
PATENT ATTORNEY - RICHARD M. McMAHON
8901 HARFORD ROAD PARKVILLE - BALTIMORE COUNTY - MARYLAND 21234
July 14, 1980

Mrs. Jean Jung
Deputy Zoning Commissioner of
Baltimore County Towson
Maryland 21204

Dear Mrs. Jung:

Defenders of Animal Rights Inc. vs Defenders of Family Rights and
Special Exception and Variance
Petitions Item No. 220

Please consider this letter as continuing formal opposition to acceptance of Petitioner's amended zoning site plan and to the petition for special exception for a kennel, animal shelter, veterinarian and cemetery.

The Petitioner urges, in his letter dated June 11, 1980, that the revised zoning site plan be accepted and that his petition for variance be withdrawn at this time. Neither the Baltimore County Code nor the Baltimore County Zoning Regulations provide for such action. Further, as pointed out in my letter of November 1, 1979 to you on this matter, there is no provision in the law, nor could such a provision be constitutionally secure, to hold this matter in limbo while the Petitioners, in fact, prepare a new and different petition. They now ask you to make a determination on a new petition and base that determination on testimony taken at a previously conducted hearing on a different petition. Section 22-4 (M) of the Baltimore County Code is precise-ly on point. "A zoning reclassification petition (including any documentation relating to the proposed use of any property under petition) may be amended *ONLY* (emphasis added) during a required public hearing on the Petition. The wisdom of this provision in the ordinance is strongly couched in the due process clause of the U. S. Constitution.

Accordingly, the revised site plan should not be accepted, and the original petition for a variance and special exception should be denied. The request for withdrawal of the petition for variance should be dismissed with prejudice under Rule IV, Sec f of the rules of practice of the Zoning Commissioner of Baltimore County.

Counsel for the Petitioner indicates that it was not necessary for the Petitioner to file the memorandum, requested by the Commissioner, opposing the Protestant's motion to dismiss made during the public hearing of September 18, 1979 and which motion was fully and amply supported by memorandum, over the signature of Edward C. Covahey Jr., Esquire, dated September 28, 1979. It is now suggested that its obligation may become moot if the Petitioner is permitted to withdraw the original petition for a variance.

Page 2 - Mrs. Jean Jung

As stated above, Baltimore County Zoning Law does not permit this method of approach to amend classification petitions.

The testimony of the Petitioner's expert witness, at the public hearing, was contradicted on the point the variance was a mandatory requirement as "the only feasible site for the proposed building, cemetery, and horse paddock requires a set back of 76 feet, 49 feet, and 131 feet, more or less, respectively from the nearest property line in lieu of the 200 feet as required by Regulation Section 421.1". Thus this obligation is not moot, and the Petitioner's failure to respond to this point in over nine months provides additional support for a favorable ruling on the Protestant's Motion to Dismiss with prejudice.

Further, the Commissioner should deny the Special Exception as the Petitioner has failed to sustain the burden of proof required by Section 502.1 of Baltimore County Zoning Regulations, as summarized below:

1. Zoning planning advisory committee comments;

A Department of Public Works letter dated June 12, 1979, "Development of this property through stripping, grading, and stabilization could result in a sediment pollution damaging private and Public holdings...." (Did they mean Lock Raven Water Supply?) (For sure)

B Department of Traffic Engineers letter dated July 5, 1979 "The requested special exception... can be expected to generate approximately 420 trips per day

C Department of Permits and Licenses dated April 24, 1979, Plan does not indicate compliance with state handicapped code" and

2 Testimony of over twenty Protestants, who stayed during the over eight continuous hours of public hearing and raised specific objections on health, traffic problems anticipated, odors expected concern for safety generally not to mention the specific danger to children riding bicycles on the crowded road and the general welfare of the residents of the Baltimore County community.

3 The admissions of the Petitioner in his letter of Oct. 30, 1979.

The Petitioners also testified that horses and other large animals would graze in the lower portion of the subject property. Summing this up, with all other data and testimony presented to you by the Petitioners, we find that they have actually testified "concentrated raw animal sewage will run into the stream that continuously flows into the waters of Lock Raven Drinking Water Reservoir. Drainage from their septic tanks will follow the same course.

This is defined in the Rules and Regulations of the Department of Natural Resources, Title 8 Sec., 14 as pollution and is prohibited. Federal clean water statutes not only prohibit pollution but provide

Page 3 Mrs Jean Jung

severe penalties to jurisdictions in which pollution is permitted.

The only reason why the Petitioner failed to provide proof of compliance with these Statutes, Rules and Regulations is, that they are in violation, so they chose to ignore the subject. However these Federal and State statutes, Rules and Regulations supersede all County Ordinances, Rules and Regulations.

Your Protestants submit that the quantum and quality of the opposition at the public hearing, coupled to the Petitioner's admissions and neglect of proof, and the Advisory Committee's written comments regarding problems anticipated, if the special exception were to be granted, clearly establishes that granting of the special exception would NOT BE in the best interest of the health, safety or general welfare of this Baltimore County Community; will tend to create more congestion in and on the crowded roads, already crowded with children on bicycles; will create a potential hazard from panic and similar dangers; will interfere with the quality of light and air; will send raw sewage into Lock Raven Reservoir and all local wells; that so called animal rights should not be permitted to interfere with human rights.

For these and all other reasons previously submitted, my clients respectfully request that you forthwith deny, with prejudice, the Special Exception and Variance Petitions filed herein in the name of Animal rights and known as ITEMS #220.

Yours very truly,

Lawrence B. Scally
Lawrence B. Scally

LBS:amd
cc: Edward C. Covahey, Jr., Esq.
Thomas J. Peddicord Jr Esq.
Clark Murphy Jr., Esq.
Mr & Mrs Richard McMahon

Robert J. Romadka Esq

PS- Since writing the foregoing the enclosure came across my desk

These Petitioners are taking advantage of the delay in answering the issue to waive these 35.8 acres before an unsuspecting public as they appeal for money. They do not own this land and will not in any event within the foreseeable future be in a position to use this land per their petition. The Court of last recourse is a long way off.

In view of the long delay since Sept 28, 1979 to July 14, 1980 may I urge early consideration and conclusion.

Thank You

PS

PET-IN-CAR FLIERS ARE AVAILABLE

Last year, DAR distributed over 10,000 "Summons" fliers which explain the dangers of leaving pets in cars. While the alerts carry a year-round message, they are especially appropriate during warm weather.

When you find a pet alone in a car, place our alert under the windshield wiper. The word "SUMMONS" done in bold red will immediately attract the pet owner's attention. The reverse side describes how the person has exposed the pet to theft, heat, and accident.

These life-saving fliers are just five cents each. To order, send a long, self-addressed, stamped envelope (one first-class stamp per five fliers) and a note requesting the number you want.

Hurry! How will you feel when you see a forlorn pet in a car, and you don't have a supply of our alerts in your glove compartment?

UPDATE ON SHELTER/SANCTUARY: We have overcome one major problem regarding acquisition of our 35.8-acre shelter/sanctuary site. However, settlement remains delayed by the Baltimore County bureaucracy. As to opposition from property owners, many of whom are land developers, our commitment is stronger than ever, and with an attorney we are working on the red tape.

Shelter/sanctuary funds are earning almost 15 percent interest, a great help since once we settle we are required to start construction within two years. Members, there is only one way we can raise some \$200,000 that quickly. We desperately need your participation in our \$1-a-week plan.

If you want a facility that will offer rescues, adoptions, cruelty investigations, pickup of strays, spaying/neutering, humane education, a pet cemetery, and more, please make your own commitment to the animals now.

WON'T YOU PLEASE HELP?

Defenders of Animal Rights, Inc. (DAR)

P.O. Box 4786

Parkville, Maryland 21211

Enclosed is \$3 for annual membership.

I want to give an extra \$ for animals.

Here is \$ for the shelter/sanctuary.

I will put aside \$1 each week and remit the money to DAR at the end of each month.

Please send me 12 envelopes.

Enclosed is \$1 for spay/neuter bumper sticker.

MY NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

ALL DONATIONS ARE TAX DEDUCTIBLE.

Because of the high cost of postage, we hope you won't mind our not acknowledging your kind donation. Also, to save us time and money, please send us your change of address when you move. Thank you.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. James E. Dyer
Office of Planning and Zoning
Date: January 20, 1981

FROM: County Board of Appeals

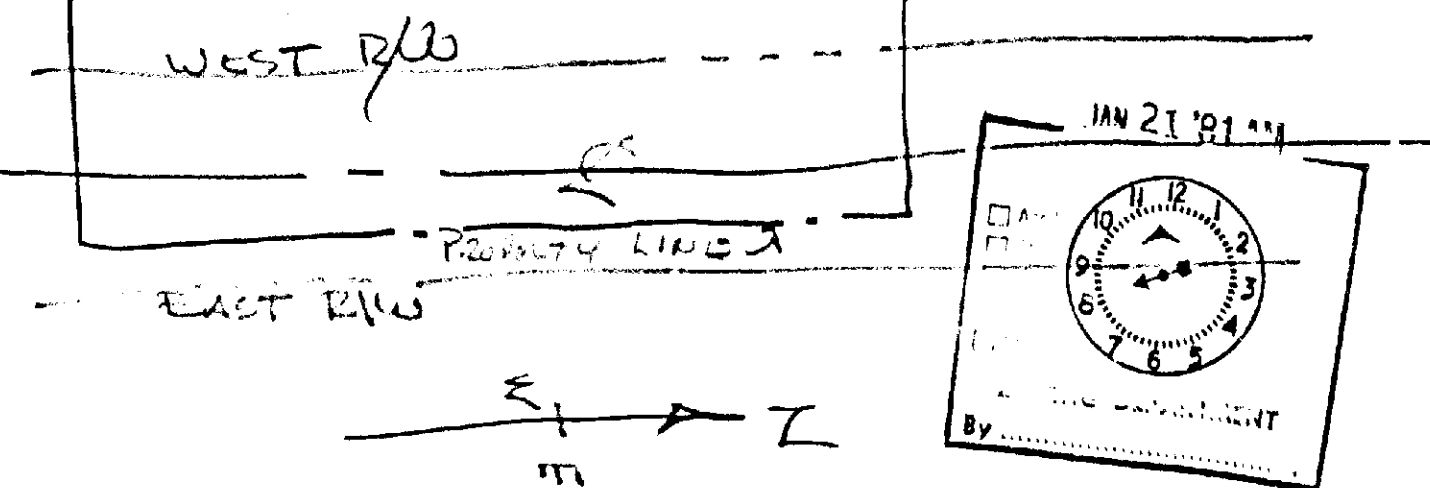
SUBJECT: Case #80-48-XA - Mary Testudine, et al

The location of this case is shown in the file and as advertised as being on the east side of Old York Road. The posting man called to my attention that the property is actually on the west side of Old York Road. I took this matter up with Mr. Reiter, and he instructed me to inform you regarding this incorrect advertisement.

Inasmuch as this case is scheduled for hearing before the Board on May 5th and May 7th, 1981, we would appreciate hearing from you how you feel this matter should be handled.

The PROPERTY DOES EXIST TO E/S OF OLD YORK RD
EVEN THO IT IS PREVIOUSLY LOC. ON WEST/S OF
YORK RD

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary



ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
BETHESDA, MARYLAND 20814

October 1, 1979

Jean Jung,
Deputy Commissioner
County Office Building
Zoning Office
Towson, MD 21204

RE: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

Dear Mrs. Jung:

In accordance with the understanding reached between yourself and all counsel, I am enclosing herewith a copy of the Interior Layout of the animal shelter and veterinarian that is being proposed to be built by the Petitioner, Defenders of Animal Rights, Inc., concerning the above captioned case. As you will note, I am sending a copy of this sketch to all counsel of record.

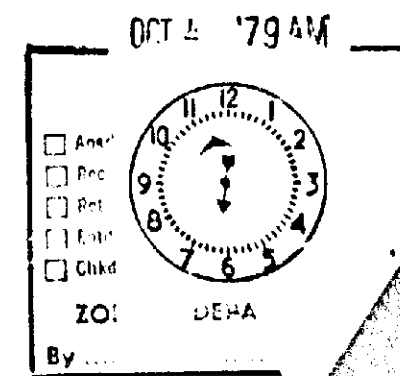
If there is any information lacking on the enclosed layout, please do not hesitate to call me.

Very truly yours,

Robert J. Romadka

RJR/jc
Enc.

cc: Mr. James Kovic
Edward C. Covehey, Jr., Esquire
Lawrence D. Scally, Esquire
Thomas J. Peddicord, Jr., Esquire
Clarke Murphy, Jr., Esquire



ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
BETHESDA, MARYLAND 20814

April 15, 1981

Board of Appeals
for Baltimore County
Attn: Acting Chairman William Hackett
219 Court House
Towson, Maryland 21204

RE: Case No. 80-48-XA
Mary Testudine, et al

Dear Mr. Hackett:

Please be advised that on behalf of our clients, the Petitioners, we are withdrawing from the issues before the Board our petition for Variance. This Petition was denied by the Deputy Zoning Commissioner in her Order dated September 12, 1980. We are not appealing from that portion of her Order denying the variance.

We also wish to withdraw from consideration by the Board of Appeals our request for a Special Exception for a cemetery. As the Deputy Zoning Commissioner pointed out, County Council Bill Number 178-79 deleted cemeteries as a use permitted by special exception in RC 2 zones and in a RC 4 zone. Again we are not appealing this element of the Order of the Zoning Deputy Commissioner which denied the special exception and it is not an element to be considered before the Board of Appeals.

In accord, therefore, with our withdrawal of the issues of the special exception denial for use of a cemetery and of the variance of a 200 foot setback, we are filing herewith an amended site plan conforming to these changes. This is the site plan which we are presenting to the Board to be considered.

Page 2
Mr. William Hackett
April 15, 1981

Very truly yours,

John B. Contrum

JBG/jc
Enc.

cc: Mr. James Kovic
Clarke Murphy, Jr., Esquire
Thomas J. Peddicord, Jr., Esquire
Lawrence D. Scally, Esquire
Edward C. Covehey, Jr., Esquire

LAYOUT CHART FOR Copy-File DATA PROCESSING MACHINE FORMS

HORIZONTAL SPACING 1/10" 6 LINES TO ONE INCH

Where vertical machine spacing is 8 to the inch spacing use Form S-55.

FORM S-5C

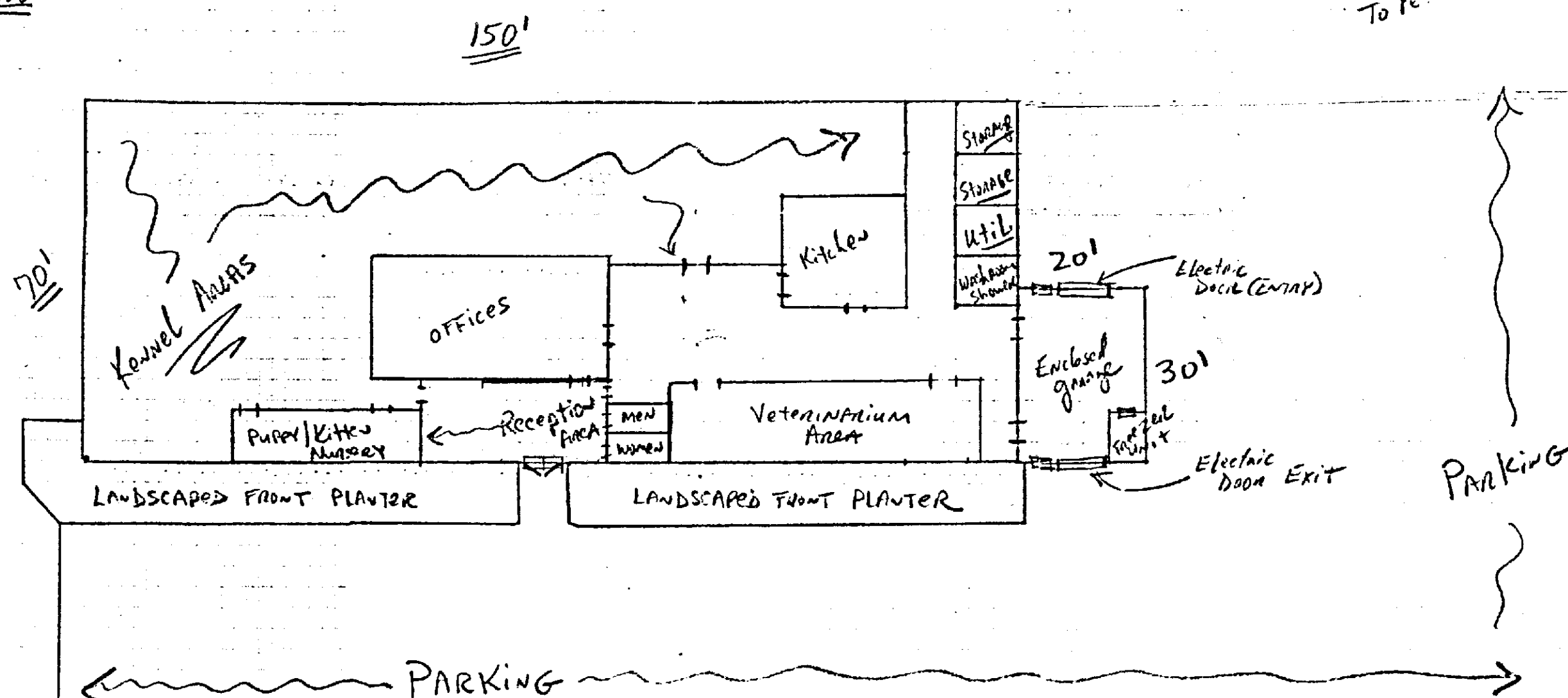
Scale: 1/4" = 1'

Interior Layout of Animal Shelter/Veterinarian

Defenders of Animal Rights, Inc.

Total Sq. Footage = 11,100'
Kennels 7804'
Veterinarian 800'
Offices, Storage, etc. 2496'
11,100'

* Reception 480'
Restrooms 120'
Offices 450'
Kitchen 440'
Storage Util. 400'
Garage 600'



GENERAL INSTRUCTIONS

Include each subject of machine with 'X'

REPRODUCING: Reproduce in exact like manner, including all broken lines and irregularities in color.

REPRODUCING: On this sheet, the master copy and master copy parts are to be printed.

Use GREEN LEAD pencils to draw 'X' reproductions and symbols.

Custom Printed Forms - 4 1/2" x 11" size and 1/4" thick for punch holes.

Important: Forms - 4 1/2" x 11" size and 1/4" thick for punch holes.

Margin: Leave 1/4" margin on all sides for punch holes.

Printer's Note

The form is accurately printed, but as per a notice, the dimensions are not to be used for reproduction.

Copy OK

SIGNATURE

Mr. James E. Dyer
Office of Planning and Zoning

January 20, 1981

County Board of Appeals

Case #80-48-XA - Mary Testudine, et al

The location of this case is shown in the file and as advertised as being on the east side of Old York Road. The posting man called to my attention that the property is actually on the west side of Old York Road. I took this matter up with Mr. Reiter, and he instructed me to inform you regarding this incorrect advertisement.

Inasmuch as this case is scheduled for hearing before the Board on May 5th and May 7th, 1981, we would appreciate hearing from you how you feel this matter should be handled.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 22, 1981

Mr. Douglas W. DuVal, Vice President
McKee, Duval & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

RE: Petitions for Special Exception
and Variances
E/side of Old York Road,
1900' N of Paper Mill Road -
10th Election District
Mary Testudine, et al - Petitioners
Case No. 80-48-XA

Dear Mr. DuVal:

Reference is made to your letter of June 18, 1981, requesting that this office review and approve your revised plat dated June 11, 1981, with regard to the above.

Please be advised that this plat does comply with Section 421 of the Baltimore County Zoning Regulations, which requires that any part of the animal facility not be located within 200 feet of the nearest residential zone.

If I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED:mr

cc: Mr. William E. Hammond
Zoning Commissioner

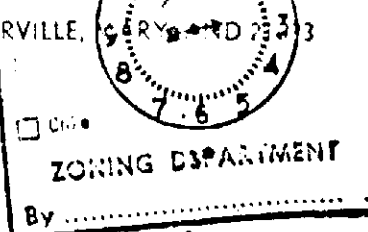
Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

MCKEE, DUVAL & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

1717 YORK RD.

Telephone: (301) 252-5820

June 18, 1981



Mr. James Dyer, Zoning Dept.
Mr. Brooks Stafford, Health Dept.
County Office Building
Towson, MD 21204

Re: DEFENDERS OF ANIMAL RIGHTS, INC.
Our Job Order No. 78-33
Special Exception Request
Plat Revision

Dear Messrs. Dyer and Stafford:

Please find enclosed herewith 2 copies of the revised plat for the special exception.

A recommendation was made at the Board of Appeals hearing on May 5 and 7, 1981, to relocate the proposed parking lot and barn and horse paddock, and the accompanying plats reflect the new relocations. Please note that the proposed building is now proposed to be 217 feet from the closest property line, and that the proposed parking lot (36 spaces) is 210 feet from the closest property line. The barn and horse paddock will be situated at the northwestern end of the parking lot and will be 205 feet from the closest property line. Please note that both relocations do not impact the established 30,000 square foot sewerage disposal area.

On behalf of my client, the Defenders of Animal Rights, Inc., we would appreciate a letter of approval of this revised plat at your earliest convenience. We wish to introduce this revised plat and your letters of approval at the upcoming Board of Appeals continuation hearing, this June 24.

Thank you for your efforts to date on this project. If you have any questions, please do not hesitate to contact me.

Very truly yours,

MCKEE, DUVAL & ASSOCIATES, INC.

Douglas W. DuVal
Douglas W. DuVal, Vice President

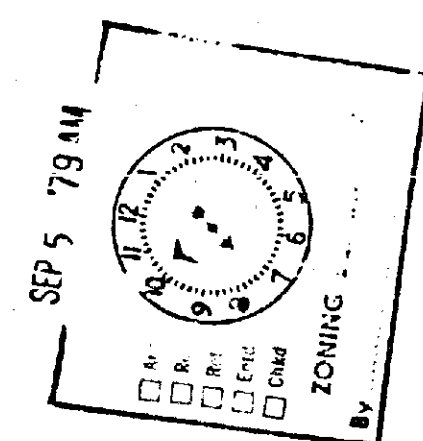
DWD:dlr

Enclosures

cc: Mr. James R. Kovic

I am response to the proposed special exception to establish an animal shelter on the inside of Old York Road near Paper Mill Rd. The proposed animal shelter would be located approximately 1/2 mile from my residence at 3009 Paper Mill Road.
My husband and I concern with a group of our neighbors who feel that the establishment of an animal shelter at the proposed location would be detrimental to the property values and tranquility of our neighborhood.
My husband and I hope that the commission will not grant the special exception to establish an shelter in the proposed location of the general area surrounding our home.
Thank you

Yours sincerely
Joseph H. Ash
Howard H. Ash
3009 Paper Mill Rd
Phoenix Md 21131



I do recognize that the county has a problem with disposing of unwanted, dead, and damaged animals. I think it would be initially more desirable to locate a facility of this nature in some remote, undeveloped area of the county. By locating development near the facility, one can anticipate it and its appropriate use before the facility is established. It is my opinion that the proposed facility is not a desirable use for the area and that it would be detrimental to the surrounding area.

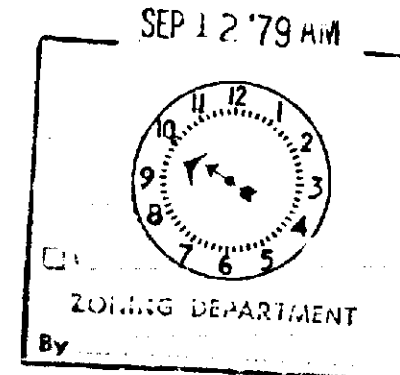
According to the news radio, County Executive Hutchinson is supporting a petition with the Baltimore County for approximately six hundred acres off Allegier Road. The intended use of this area is a sanitary land fill. This area has been described as very remote, with a remote road. News reports indicate that there is little opposition, or none has been expressed. Some residents have private landfills in the area. It seems to me that several acres of this remote land could be set aside for the purpose of an animal shelter. In this way, an animal control facility would not be a detriment to the surrounding area.

Sincerely yours,

John H. Buchmann
John H. Buchmann

cc: John L. Seyffert
Director of Planning and Zoning

80-48-XA
7-20-81



Ralph E. Kellough
15425 Court
Phoenix Md 21131
666-0952

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

Dear Mr. Hammond,

I wish to take this opportunity to register my disagreement regarding zoning petition # 80-48-XA. I live approximately 1/2 mile from the proposed pet kennel and cemetery referred to in the above mentioned petition. It is my position that the proposed use of this land could have an adverse affect on the surrounding area which is primarily residential in nature. This adverse affect would be caused by constant noise pollution, and increased traffic problems on an already over crowded Paper Mill Road. Because of the hill, getting out of Old York Road on to Paper Mill Road is very dangerous. This incidence is danger could be increased due to the additional traffic going to and coming from the proposed kennel. It is also my understanding that the proposed purchase of this land are a non-profit organization and therefore a non-tax paying organization. This would represent a decrease to the property tax revenues. It is my request that you do not grant the exception to the petitioners.

Sincerely: Ralph E. Kellough

Mr. Hammond
Zoning Commissioner of Baltimore Co.
County Office Building
Towson, Md. 21204

Re: Zoning Petition # 80-48-XA

Dear Mr. Hammond,

We live 1/2 mile from the proposed kennel, animal boarding place, veterinarian and animal cemetery in the above referenced petition. We urge you not to grant the exception to the petitioners. We feel that granting the petition would have a detrimental affect on the environment, the traffic condition of the area, and would cause pollution of the air, water, and noise in the neighborhood where the currently exists.

We also feel that it would decrease land and residential value thereby reducing the county's tax base. A non-profit organization (Defenders of Animal Rights, Inc) pays no property tax. A land business or home owner pays property tax. Your consideration on behalf of us and other opponents would be greatly appreciated.

Bradley and Ruth Moore
3112 Paper Mill Road
Phoenix, Md. 21131
Phone - 666-1129

80-48-XA
7-20-81
Mr. William Hammond, Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Commissioner,
My purpose in writing is to advise you that I am opposed to granting the zoning exception for an animal shelter to be located on the west side of Old York Rd, approx. 2100' No. of Papermill Rd. I believe this shelter will be hazardous to the environment, offensive because of odors & noise, and create a traffic problem at the intersection of Old York Rd & Papermill Rd. I am also convinced that the venture is commercial in nature and intent at the expense of the local taxpayers. Your opposition to this zoning exception will be very much appreciated by all of the home owners in this area.

- Mary Testudine, et al - #80-48-XA

- Patricia Phipps

Date: December 15, 1981

Sept. 11, 1907.
Dear Mr. Hammond
I am writing to
you as a supporter for
Katharine County in
regards to Young Edition
80-18-1A. As a resident
in the area, and
attempting to uphold
high standards from
a home owner point
of view, I urge you
not to grant the
young exception to the
petitioners (relatives of
General Hight, Mrs.) of
the annual meeting place,
the annual center, with
annual secretary.

And And. would
values under would,
in there, under the
County's tax base.
there - the holders of
Animal Rights in a
more - perfect reputation
they would not have
to pay property tax.
Please consider
this request on behalf
of all concerned property
And home owners in
the area.
Sincerely, John
Leggish of Iowa
5 Idage Court
Shaw, 669-0577 Shaw, mt. 21131

With the above type of atmosphere
our property value would decrease
drastically reducing the County's tax base. I
do not feel that an area with
\$100,000 - 200,000 houses that homeowners
have worked hard to obtain and

Phone - 628-7793

19-2014
88-426

SEP 12 79 mid



☐ OK

TRAINING DEPARTMENT

By _____

Re: Zoning Petition
80-48-XA

I live about a quarter-of-a mile from the site of the proposed kennel with provisions for veterinarian service, animal boarding and animal cemetery, as stated in petition #80-44-XA. I am writing to you to urge you to not grant the exception to the petitioners. I feel vehemently that ruling in favor of the petition would have a detrimental affect on the serene setting in this part of Baltimore County. The establishment of such a structure would increase traffic, and cause pollution of the air, water

Like so many of our neighbors we have invested all we have in our home and I am certain that this armed shelling et al. would decrease our land and residential values which in turn would reduce

A circular stamp featuring a clock face with numbers 1 through 12. The date "SEP 17 '79" is printed at the top of the stamp. The clock hands are positioned to indicate a time around 10:10.

Mr. & Mrs. Santo J. Kavanian
14740 Old York Rd.
771-4148

771-4148

Emily,
Susan Bezman

SEP 12 '79 AM



ZONING DEPARTMENT

By _____

I also strongly believe that the existence of this Animal Shelter would decrease land and residential values. Please consider the beliefs I've presented to you and by other opponents of petition #80-48-XA.

Sincerely yours,
Hail S. Vesely

home phone number 626-7168
work phone number 828-9545

I - for one would be interested in knowing who is behind this animal organization and how they were almost able to slip this project into the middle of our community.

Once again I urge you not to grant the exception to the petitioners.

Very truly yours,
William F. Verel

home phone. 628-7168
office phone. 296-5626

INTER-OFFICE CORRESPONDENCE

Date...September 14...1979.....

Attached is a letter received which should have been sent to your office concerning the requested special exception for an animal shelter on Old York Road.

PB/cmt

PG-78-XA

Sept. 5, 1979

Dear Mrs. Bulckeim,

My purpose in writing is to advise you that I am opposed to granting the young sheepskin request for an animal shelter to the locked in on the west side of Old York Rd., approx. 2000' north of Pagersmill Rd. I believe this shelter will be hazardous to the environment & will have reason, offense & will create traffic problems at the intersection of Old York Rd & Pagersmill Rd. I also believe this shelter is commercial in nature and intent, at the expense of the local taxpayers' open cooperation in this matter. Will the applicant pay for all of the home owners in this area.

Sincerely, Susan D. Adler
14335 Old York Rd.
Pagersmill Rd. 2/11/11

September 14, 1979

Dear Mr. Hammond,

In reference to the young Petition
of 2048-29, for the proposed Memorial,
animal boarding place, petting house
and animal hospital: I strongly urge
you not to grant this petition.

that a copy should be distributed to the environment and the community.

It would mean air, water and sewer pollution as well as additional traffic to the surrounding areas which is now a problem for the residents.

This area is one of the highest paying tax areas of the county. Such an establishment would divert the property's resulting in housing economic and lower taxes. Since dependence of Animal Eght, Inc. is

Mr. William Hammond
Zoning Commissioner of Baltimore County
County Office Building
Jackson, Maryland 21204

Dear Mr. Hammond

I live about 1/2 mile from the proposed Kennel, kennel boarding place, veterinarian and animal cemetery, as referenced in the above petition. Being a former resident of Cockeysville I urged my husband to move to the area we now live in to get away from the kind of air, water, noise and traffic pollution this kind of business could cause.

Being a concerned mother I face my neighbors in requesting that you not grant the exception to the Defenders of Animal Rights, Inc.

Kathryn K. Seach
14304 Sogland Road
Phoenix, Md 21131
628-2895

Mr. Harmond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Re: Zoning Petition
#80-48-XA

Dear Mr. Hammond:

My family and I are wholeheartedly opposed to the granting of the above petition which would allow for the construction of a kennel, animal shelter, animal boarding place, veterinarian and/or animal cemetery.

We live approximately one mile from the location proposed for this animal shelter and feel that such a shelter would be an extreme detriment to the environment and the tranquility of this strictly residential area. We moved to this area from Howard County on December 19, 1978 (8 months ago) in part because of the quiet, countryside location that was promised by the community (Ascot Estates).

We feel strongly that the above proposal would decrease property values, reduce the county's tax base (non-profit organizations do not pay property tax), increase traffic congestion, increase noise pollution, water pollution, and air pollution and provide an unwarranted precedent upon which future commercial, industrial or business zoning exceptions could be requested.

Sincerely,

C. Boyd Pfeiffer
C. Boyd Pfeiffer
Jacqueline B. Pfeiffer
Jacqueline B. Pfeiffer

a non-profit organization and pays no property tax, it would not be in the County's best interest to grant the petition.

If such a complex is to be established, let it be established away from any residential area where the effects would not be a objectionable.

Your consideration in this matter would be greatly appreciated. Thank you.

Received

Gen'l J. Quinn
3712 Stonewall Mill Rd.
Perry, Md. 20381

SEP 17 79 AM

STATION

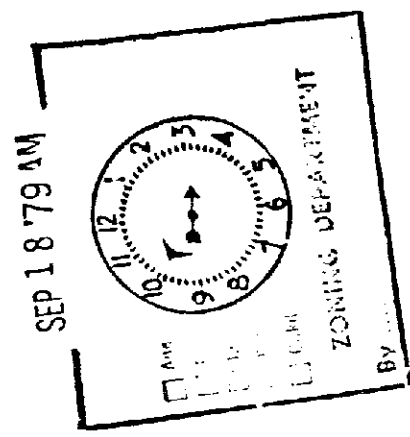
NOV-3770

[illegible]

SEP 18 1979
To: Mr. William E. Hammond
Baltimore County Zoning Commissioner
11121 Chesapeake Lane, Room 13
Towson, Md 21204

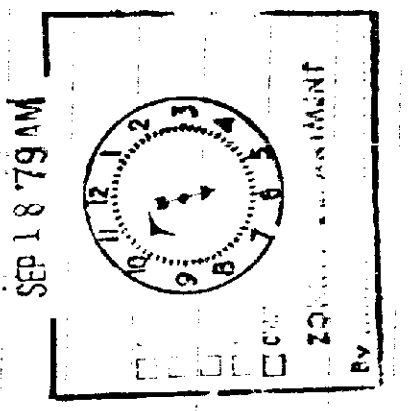
Gentlemen,
This letter is to register my disapproval
of a kennel which is selling dogs and
the surrounding Jacksonville area. It
is responsible for us to attend our living
on Sunday

Yours truly
Anthony T. Korman
(Mrs Robert W.)
9201 Long Green Road
Long Green, Md. 21092



SEP 18 1979
To: Mr. William E. Hammond
Baltimore County Zoning Commissioner
11121 Chesapeake Lane, Room 13
Towson, Md 21204

Gentlemen,
This letter is to register my disapproval
of a kennel which is selling dogs and
the surrounding Jacksonville area. It
is responsible for us to attend our living
on Sunday



SEP 11, 1979
Dear Sir,
I am writing to oppose
the zoning act on the west
side of dog track road approx
ately 200 feet north of paper
mill rd. I feel that it will
pose a health problem for the
people in this area. I live about
one mile north of the proposed site.
I live, would live just across the
road from the animal shelter and
I feel this animal shelter and
cannibal center will bring and
drawn to our beautiful country
community. I don't feel it's
we should have to smell the
air from the center not having
dogs, we live and community

SEP 18 1979
To: Mr. William E. Hammond
Baltimore County Zoning Commissioner
11121 Chesapeake Lane, Room 13
Towson, Md 21204

Gentlemen,
This letter is to register my disapproval
of a kennel which is selling dogs and
the surrounding Jacksonville area. It
is responsible for us to attend our living
on Sunday

Dear Sir:
As a home owner who lives less than one half
mile from the proposed site of an animal shelter -
I am deeply concerned. The zoning variance for
this kennel must not be granted. The surrounding
roads - especially Paper Mill Rd - the intersection
with Old York Rd. are heavily travelled now +
at best, even the best roads in the county. Our
school buses travel these roads and additional
large amounts of vehicles would be dangerous.
The environmental pollution too, is dangerous.
The Baltimore County watershed is frighteningly close to
the proposed site. The air and noise pollution is
also in jeopardy should this variance be granted.
Our last property value would decrease -
resulting in a decreasing County tax base. As a
tax paying homeowner, I am vehemently opposed to
this zoning variance!!
Karen Racine
2905 York Manor Rd. Annapolis, Md.

79-2017
80-418
SEP 14 1979 PM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

M. William E. Hammond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

I live in Old York Manor and my house is approximately one-half
of a mile from the site of the proposed kennel, animal boarding place,
veterinarian and animal cemetery, in Zoning Petition #80-48-XA. I
urge you not to grant the exception to the petitioners. After speaking
directly to people who live as close to similar kennels, I am absolutely
astounded by the detrimental effect on the environment, the traffic
conditions, and by the certain pollution of the air, water and noise that
will drastically affect the tranquil setting that currently exists.

Paper Mill and Old York Road intersection is a very dangerous
intersection as the topography now stands. This would mean a traffic
light would most likely have to be installed at that intersection to
handle the increased traffic.

The smell of incinerated flesh, the noise pollution of barking dogs
and the possible contamination of our and Loch Raven's water supply is not
why people pay in excess of \$100,000 to move into the area to raise a family.

I have three small children that will have to contend with unhealthy
stray dogs, cats, etc. that will be left at the kennel door when people
drive all the way out here and find it closed.

This is not a farm area anymore. The Jacksonville area has had
recent substantial investment from a business and residential standpoint.
A future school within a mile of this proposed kennel is not out of the
question. Land and residential establishments in the two mile radius
are new and of high quality.

I am sure that land and residence values will be adversely affected
thereby reducing the county's tax base. A nonprofit organization
(defenders of animal rights, inc.) pays no property tax. A land, business
or home owner pays property tax and therefore should have a substantial
voice in these matters.

I hope you will consider the affect of your decision and not grant
the exception to the petitioners.

Sincerely,
Stephen A. McKinney
S.A. McKinney
666-0818

79-2017
80-418
SEP 14 1979 AM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

Mr. Hammond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Md 21204

Dear Mr. Hammond:

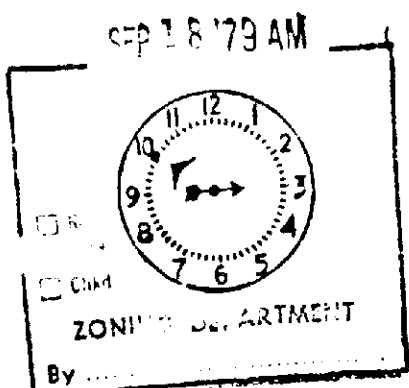
Ref. Petition # 80-48-XA

I was recently transferred to the Baltimore area from an
assignment in Texas, Venezuela. I purchased a new home
approximately 1/4 mile from the site of the proposed dog
kennel. One of the primary reasons I chose this area was
its country setting - peaceful and tranquil - just what
my wife and I needed after 3 years in Texas.

I urge you not to grant approval for the use of this land
as a dog kennel. I was willing to pay the high taxes
because the area had a lot to offer in the way of peaceful
surroundings. The Paper Mill Rd area has no "average"
or "large" establishments and it doesn't need any!

As a public figure, I am sure you are aware of the purpose
to hold down property taxes. Although I'm not positive,
I would expect that the intent, operating this proposed
facility would pay and taxes thus increasing the burden
on the homeowner - a person already overburdened!!

Thank you for your consideration in this matter.
Yours truly,
Robert E. Feltz (Mr. & Mrs.)



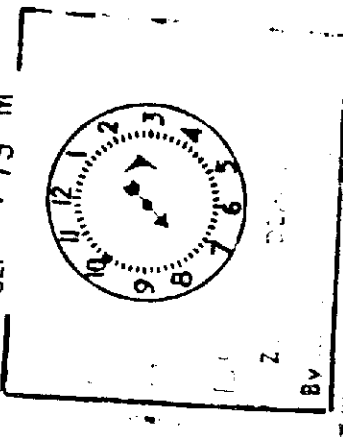
79-2017
80-418
SEP 14 1979 PM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

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

Dear Sir:

I am opposed to zoning petition
#80-48-XA - Old York Manor, a
mile from the location of the
proposed kennel, animal boarding
place, veterinarian and animal
cemetery. I am sure that this
will not be allowed.
We feel that such a place
would have a detrimental
effect on the environment in
this area as well as decreasing
land and residence value.
I am sure that you will
grant consideration, please,
to the town papers and here!

Sincerely,
Mr. & Mrs. W.A. Scott

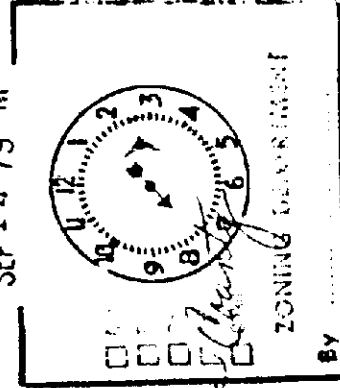


79-2017
80-418
SEP 14 1979 AM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

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

Dear Mr. Hammond:

I am pleased to see that you are
opposed to the petitioners.
I am writing to you as a concerned
member of the community regarding
Zoning Petition #80-48-XA (proposed
kennel, animal boarding place, veterinarian
& animal cemetery). I live approximately
1/2 mile from the above proposed
site + at the corner of a small
chicken + concerned with my
member, I urge you NOT to grant



79-2017
80-418
SEP 14 1979 PM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

Mr. William E. Hammond
Zoning Comm. of Baltimore County
County Office Bldg.
Towson, Maryland 21204

Dear Mr. Hammond -

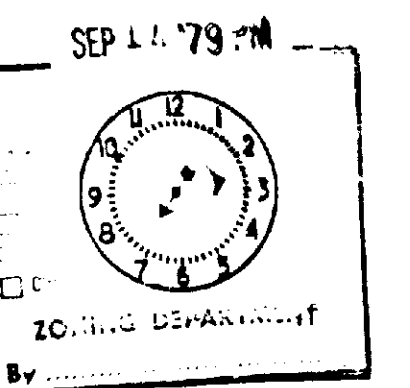
Since I only live about a mile
from this proposed kennel, veterinarian,
animal boarding place and an animal
cemetery, I am extremely upset to hear
that this zoning petition is coming
up for a vote. This type of activity
in my neighborhood would do nothing but
decrease land and resident value!

Since we have saved money and
hard to buy our present home, we are
very concerned with the detrimental effect
that by granting this petition it would
bring to our community.

Please consider our request to
withdraw my zoning petition #80-48-XA.

Sincerely yours,
John H. Hays
2513 York Manor Rd.
Phoenix, Md 21131
09-1-215

Continental Can Company, U.S.A.
Mid-Atlantic Division
2000 York Plant Manager
Towson, Md 21204



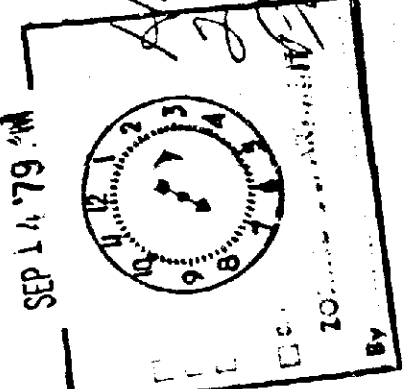
79-2017
80-418
SEP 14 1979 PM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

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

Dear Mr. Hammond:

I am a property owner
at 2917 Paper Mill Road and
I don't want to be animal
slitter to be built.

Yours truly
Robert A. Taylor Jr.
2917 Paper Mill Road
Towson, Maryland 21204



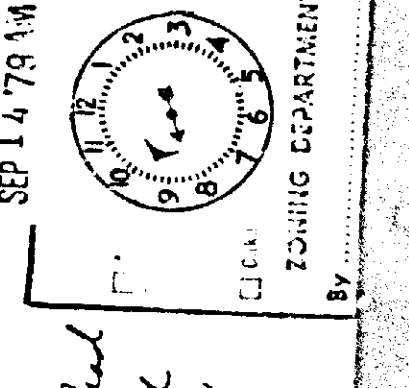
79-2017
80-418
SEP 14 1979 PM
1 Doe Court
Phoenix, MD 21131
September 13, 1979

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

Dear Mr. Hammond:

I live about 1/2 mile from the proposed
kennel location, I urge you not to grant
the exception to the petitioners. I am
worried that if the kennel is built
it would have a detrimental effect on the
total environment, polluting the air,
water and add noise with other traffic.
I also feel that this kennel will
not have to pay any property tax
because they are a non-profit agency.
(Defenders of Animal Rights, Inc.)
Thank you for your consideration
on this matter.

Sincerely,
Mr. & Mrs. W.A. Scott
14910 Old York Road
Phoenix, Maryland 21131



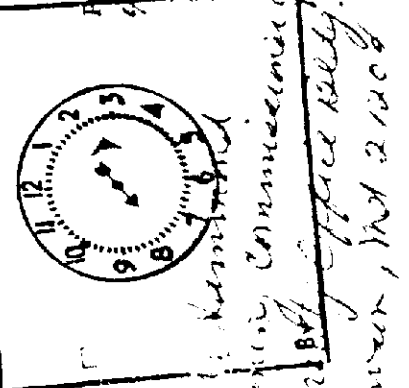
79-2017
80-418
SEP 14 1979 PM
1 Doe Court
Phoenix, MD 21131
September 12, 1979

Mr. Hammond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Md 21204

Dear Mr. Hammond:

I would like to go on record as
opposing my husband and I urge you not
to grant the exception to the petitioners in
this case. We live less than a mile
from the property in question and feel
that the proposed kennel etc. would
have a detrimental effect on the property
value - the traffic would be horrendous
and the pollution would certainly be
dangerous.

Sincerely,
(Mrs) E. Kordick



Dear Mr. Hammond:

We live in Oak Tail Manor, less than one mile from the proposed facility. The constant barking of dogs, the odor that seeps from many animals confined in a single area, the increased traffic in our narrow, winding country roads that were never designed for heavy traffic, the danger of water pollution by the gallons of disinfectants and chemicals necessary for this type of operation, the danger to our children from unwanted litters & sick and violent dogs being "dropped off" in our neighborhood in the assumption that the facility will find them and take them in, prospects of future expansion of the facility and the prospects of the changes in the peaceful, rural quality of the neighborhood all contribute to our

Very truly yours,

Carol D. Williams
(CAROL D. WILLIAMS)
Palmer & Williams
(PALMER C. WILLIAMS, JR.)
14303 Sycamore Rd
Phoenix, Md. 21131
669-9269

79-2055
99-111

Sept. 12, 1979

Re: Zoning Petition #80-48-XA

Dear Mr. Hammond:

Living only about 1/2 mile from the proposed location for the kennel, animal boarding place, veterinarian and animal cemetery, I want to express my deep concern about this matter. I very much hope you will not grant the exception to the petitioners as I believe it would have an adverse effect on our environment, cause traffic congestion on our narrow roads and cause pollution of the air we breathe, our wells, and noise level in our normally quiet neighborhood.

I also feel it would reduce the value of my property and all other property in this area which would reduce our county tax base. The Defenders of Animal Rights, Inc. being a non profit organization would pay no property tax.

Your consideration on behalf of myself and my neighbors would be greatly appreciated.

Sincerely,

Charles E. Smith, 14204 Sagewood Rd. Phoenix, Md. 21131
Phone 628-2845

79-268

Mr. William Howard
 Young, Commissioner of Baltimore County
 County Office Building
 Towson, Maryland 21204

Re: Young Petition
80-48-XA

September 13, 1979

Dear Mr. Hammond:

Please, please do not allow
the county to erect a dog pound,
animal boarding house and animal
sanctuary on the site of Old Jail Road
off Paper Mill Road

The traffic alone would reduce our land value, not to mention the noise, smell and the pollution of the air.

The as tot payes, yes, I said
tot payes do not what this tennel
is an back yes. The gay tot, large
amounts of money each year gives to
paying tot. Of the value of her
Harriet go down, so gives yes tot
money.

Defenders of Crimale Legals Pre.
do not pay taxes, for they are a
non-profit organization. You tell
me who will help Baltimore
County, Va. tax payers w. the non-
profit criminal counsel.

Sincerely,
 HENRY
 [Signature]
 Jacques S. Kurlow
 7 Dore Court - 667-0861

19-2020
99-File

September 13, 1979
2 Stag Court
Phoenix, Md. 21131

Mr. William C. Hammond
Zoning Commissioner of Salto County
County Office Building
Towson, Md. 21204

Dear Mr. Hammond,

Re: Goring BY
80-48-XA

We were appalled to learn of a proposed animal breeding place, (retiuna class), kennel and animal cemetery being considered on Old York Road in Choburn. This location is only a mile from many homes, including ours, which would suffer severe air pollution, water pollution, noise pollution and traffic increase which most roads could not handle should the objection be granted.

It is our understanding that Defenders of Animal Rights, Inc. is a non-profit organization and pays no taxes, thereby reducing Baltimore County's tax base.

We, as tax payers, implore you not to grant
this petition and thank you for your consideration.

Sincerely,

Mr. & Mrs. Genl E. N.

the reception to the politicians. I
 feel that waiting for politicians would
 seriously harm the movement, even
 if, with a wise selection, we were to
 create traffic problems in the area.
 Now, since we, many young families
 in the area, feel this kind of
 work makes plans with a
 safety problem for our children,
 the future leaders of Baltimore
 County.

It also felt that it would decrease demand & purchase value, and diminish the County's tax base. Instead of a broad "Right to Life" program - just organization & people not supporting Mr. Paul, business & home owners pay marketing tips - which about cut rights 2!

(2)
pass property tax, to believe
that I should have a
voice in my decision
which affects the qual-
ity of the life of my
family and the value
of my home and
property.

Our family moved
to this area to provide
our 3 pre-school
the opportunity to
grow up in a quiet
country atmosphere, one
which is noise and
air pollution free.
I am terribly sorry
that I have just
spent \$110,000 to
provide this for my
family and now for

SEP 18 79 AM

1 The Court
Phoenix, Md. 21131
September 13, 1999

Mr. Davidson E. Hammond
Zoning Commissioner & East Co.
County Office Building
Ocean, Maryland 21804

ENCLOSURE

10/1/99

cc: Jimmy Petition # 80-48-XA

As a resident of
old York Manor, I am
greatly concerned about
the proposed land,
animal boarding facility,
petersonium and animal
sanctuary in the above-
mentioned petition. I
most strongly urge you
not to grant the
exceptions to the petition.
As a concerned

(5) What this type of construction is being experienced. What of other people awaiting moving from this city to the Jimmy Jackson area? No doubt the presence of such a Council will quickly dissuade them. That & residence values will be adversely affected & thus value the County's tax base.

One of my greatest
concerns is for the
safety of mine. Being of
my religion, the
proposed tunnel will
entirely preclude
the water of our

(4)

Community. The increased traffic in the area will provide a most dangerous situation on roads which are already narrow & difficult to travel.

I cannot believe
that the Joint Commission
will make a decision
which will have such
an adverse effect on
our community.

Sincerely,
Mrs. Peggy McKing
666-0818

666-0818

80-48XA

Zoning Hearing Commissioner
Towson, Md. 21204

Dear Sir:

We were quite concerned when the zoning exception notice was posted across from our new home. After further checking it seems that the the "Defender's of Animal Rights" wished to purchase the land in the midst of an upcoming residential community to operate a Commercial Kennel, mortuary and cemetery.

We had looked hard and long to build a home in a residential area to avoid such a derogatory venture. According to the master plan the community would be residential.

Our taxes were higher than other places in the county but we were in a "nice neighborhood." Now we find a non-paying tax organization requesting to build a kennel in the area. I pray you reject these zoning exceptions. The impact on the area would be disastrous.

14601 Old York Road
Phoenix, Md. 21131
666-8138

T.C. Collins
14601 Old York Rd
Phoenix, Md 21131

Not only would the building be insightly so close to the road, but relations with this organization in the midst of residential housing would not be good.

We must protect the "watershed area." All homes have wells and septic tanks. This kennel must cause harm to the environment.

A cemetery for pets across from anyone's home should not be allowed.

Approval of such a venture no matter how limited will cause future exceptions to our Communities orderly development. There is no doubt that the building of the kennel would lower the ^{value} of the homes in the area, likewise reducing tax revenues.

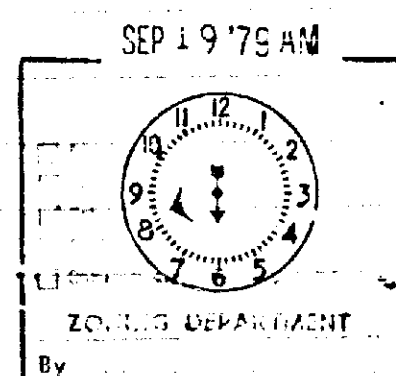
In conclusion, I respectfully request a negative decision on the exceptions requested and leave the area to an orderly residential growth. To do less would be to the disadvantage of Baltimore County and Phoenix.

Sincerely yours,

Mr. & Mrs. Thomas C. Collins, Jr.
Thomas C. Collins, Jr.

Re: Zoning Petition
80-48-XA

Mr. Hammond
Zoning Commissioner of Balt. Co.
County Office Bldg.
Towson, Md. 21204



Dear Mr. Hammond,

We are presently residents at 3002 Paper Mill Rd. - on the corner of Old York Rd. The proposed kennel, etc., therefore is a matter of great concern to us. We have lived here for a little over three years and have watched this community grow in leaps and bounds - however it has not lost its pleasant country atmosphere. I believe that your proposed kennel, animal boarding place, veterinarian, and animal cemetery would shatter the already precarious balance between suburban and country living and leave this area's residents with much less than what they have invested in, as well as frighten away other potential home-owners, businessmen, and farmers.

Another point that comes to mind is the fact that so many animals lives must be extinguished each day. This can only cause a noticeable rise in pollution of the environment. Noise pollution would also become a problem due to the increased traffic flow and the constant howling of the dogs. At night, if we are sure, we will be able to hear the dogs through our bedroom windows.

→ over

79-2103
80-48XA

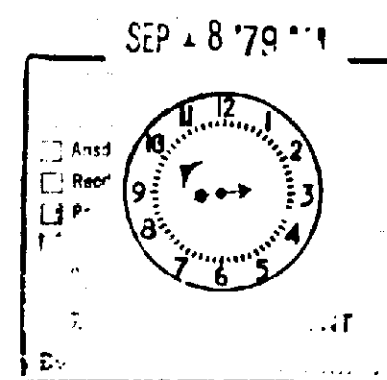
2506 Canale Mill Rd.
Phoenix, Md 21131
September 13, 1979

Mr. Hammond
Zoning Commissioner
Towson, Maryland 21204

Dear Mr. Hammond:

It has recently come to my attention that there is a proposed petition, number 80-48XA, for an animal hospital to be built on property adjacent to Old York Road near Papermill Road in the Jacksonville area. I am approximately 2 miles away from the land in question, but travel that route virtually everyday. It is my opinion that the land is not suited for such a business. This is due to the fact that the drainage is poor. When it rains in this area, there is run-off into the watershed. Animal waste has been one of the main pests to the Lock Raven watershed. The pollution from land run-off is of great concern to all of us.

In times when people are becoming aware of bacteria and disease past through animal wastes to humans, it doesn't make sense to add to the problem by placing such an animal care center in a residential area with wells and septic systems. For the sake of our children

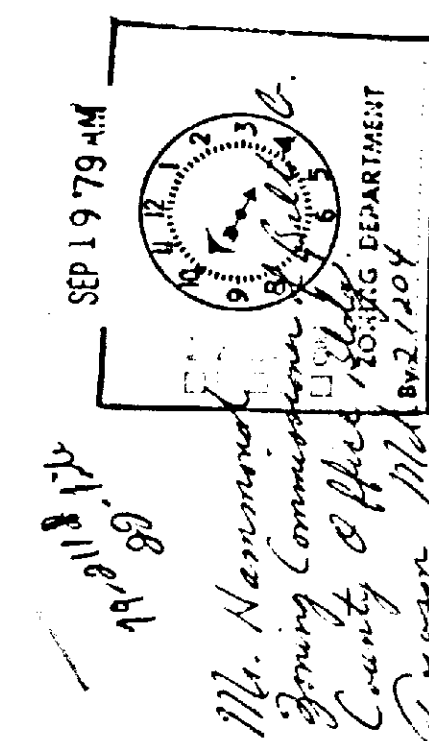


into a watershed affecting the stream then the animal hospital should not be allowed. Also I am sure there would be an increase in traffic to the area which we do not need.

Considering this is a residential area I am sure the noise from the animals would be most undesirable. The threat of the disease and animal could cause a worry and certainly there is the possibility of animals being abandoned and thereby running loose in the area. Property values would decrease and future building and thus more taxes for the county would probably decline. I hope the feelings of the area residents will be considered.

Sincerely,
Dorcas George
Mrs. Christine B. George

2500 Canale Mill Rd.
Phoenix, Md. 21131
Sept. 16, 1979



Mr. Hammond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Md. 21204

Re: Re-zoning Petition # 80-48XA

Dear Mr. Hammond:

I am writing in regard to the above Petition to build an animal hospital, etc., near the intersection of Old York and Paper Mill Roads. As a resident in the ground area I am against the building of such a place for several reasons. It is my understanding that water pollution in the Lock Raven Reservoir is a major concern and therefore if there is any chance that there would be animal waste that would run off



Greater Jacksonville Association Inc.

P. O. BOX No. 126

PHOENIX, MARYLAND 21131

Sept. 11, 1979

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

Re: Zoning Petition # 80-48-XA

Dear Mr. Hammond:

The Greater Jacksonville Association met on September 13, 1979 and discussion was heard concerning the above Special Exception Zoning Petition.

There were 52 of our members present. A vote was taken and the results are as follows:

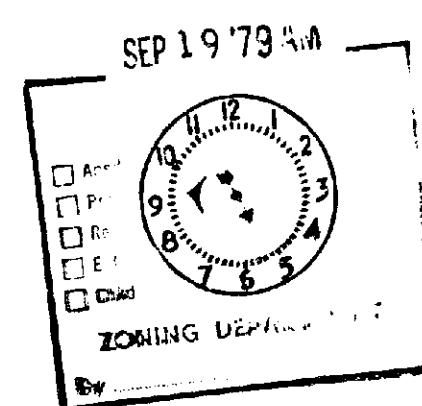
For the animal shelter 1.
Against the animal shelter 47.
Abstentions 11.

As a result of the above vote The Greater Jacksonville Association hopes that you will not grant the petitioners their special exemption.

Thank you very much for your consideration in this matter.

Sincerely yours,

Larry Morgan
Larry Morgan, President
Greater Jacksonville Association, Inc.

79-2103
80-48XA

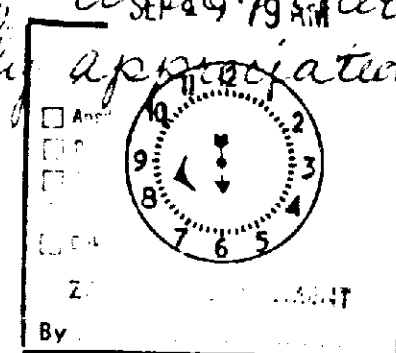
Mr. William Hammond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Md. 21204

Re: Zoning Petition
80-48-XA

Dear Mr. Hammond,

I live approximately ten miles from the location for the proposed kennel, animal boarding place, veterinarian and animal cemetery, in the above referenced petition. I urge you to not grant the exception to the petitioners. I feel that granting the petition would have a detrimental affect on the environment, the traffic conditions of the area, and would cause pollution of the air, water and noise in the tranquil setting that currently exists.

Your consideration on behalf of myself and other opponents would be greatly appreciated.



Sincerely,
Carolyn M. Smith
13002 Brookline Rd.
Towson, Md. 21203
572-3951

79-2103
80-48XA

William T. Hammond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond,

It has come to my attention that the establishment of an Animal Kennel and Cemetery has been proposed in Zoning Petition 80-48-XA. I would like to take this opportunity to speak against this proposed action.

As a tax paying resident of the area in question, I am adamantly opposed to such an establishment which, in my opinion, would depreciate the value of my property and grossly contribute to the pollution of the environment in this area.

By granting this petition to a non-profit, non-tax-paying organization, you will be decreasing the property value of tax paying citizens, and permitting detrimental effects to the tranquil setting we currently enjoy.

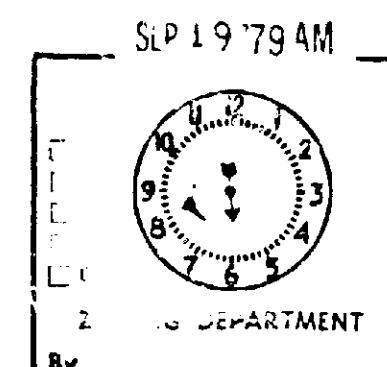
Your favorable consideration in this matter would be greatly appreciated.

Sincerely yours,

Richard B. Mulligan
Richard B. Mulligan

RBM/mrb

2906 York Manor Road
Phoenix, Maryland 21131
666-0873
September 14, 1979



We rent our homes presently but we are considering remodeling or buying a new home in this area. We know that the outcome of this possible zoning exception will have a powerful influence on our decision and so we see no reason why it would not influence others similarly.

Thank you for hearing us out - we hope you will consider us seriously as well as the other neighbors you have heard from and will be hearing from.

Sincerely,
John Eddy
John M. Eddy

302 Paper Mill Rd.
Phoenix, Md. 21131
301-628-7499

alone, it is not wise. I see no gain to our area or solution to outstanding problems of our watershed, by creating another breeding place for land, water and air pollution.

This is an extremely serious matter with grave consequences. The only way to prevent further damage is to stop it in the bud. The city water system feeds into many homes. We not just Jacksonville, that will be affected. I appreciate the time that you have spent in reading this letter. I would attend the zoning hearing but I have small children, so I substituted this letter. Thank you once again.

Sincerely,
Mrs. Jack L. Hallatt

79-2094
89-14

Sept 18, 1979

Zoning Commissioner
Baltimore County

Zoning Petition #80-48-XA

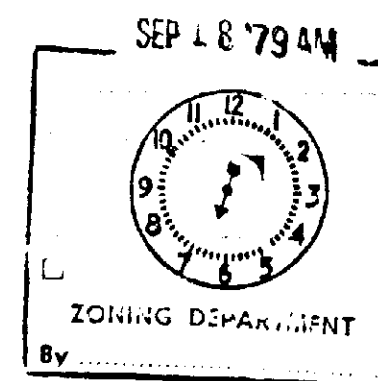
I would like to submit this letter to express my views on the rezoning of property on Old York Road near Paper Mill Road for the proposed animal shelter, cremation facility, veterinarian, pet cemetery.

I disapprove the construction of an animal shelter in this residential area for the following reasons:

1. Increase in traffic on residential roads.
2. Air pollution due to animal disposal.
3. Sound of barking dogs at all hours.
4. Stray animals, breaking the roads possibly hurting an innocent child.

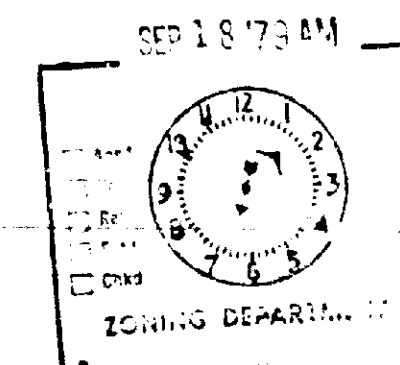
I feel that this construction should not be approved also because it would not be a good environment for our children to grow up around.

Joan M. Lucas
2905 Stockton Road
Phoenix, Md. 21131



79-2094
89-14

Zoning Commissioner
Baltimore County
Zoning Petition #80-48-XA



Since I am unable to attend today's hearing for the rezoning of property on Old York Road near Paper Mill Rd. for the purpose of construction of an animal shelter, veterinarian, pet cemetery, and cremation facility, I would like to submit this letter to express my feelings.

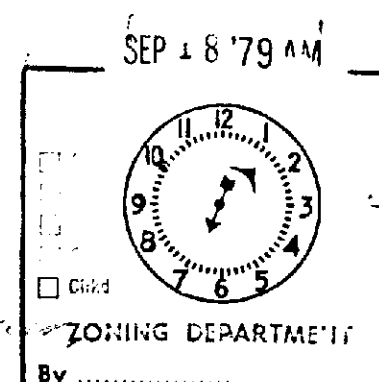
I feel that the construction of the proposed shelter in this completely residential area of Baltimore County will have adverse effects on the community. I oppose this construction because of the following fears:

1. Additional traffic on our residential roads.
2. Noise of barking dogs during all hours.
3. Possible stray animals roaming the area.
4. Air pollution due to animal disposal.
5. Possible exposure to diseased animals which might escape from the shelter.

I feel that the above reasons for not allowing an animal shelter to be constructed in this residential area not only would preserve the community, but also would allow all of our children to grow up without the danger of additional traffic as well as the fear of being harmed by "stray animals".

Kenneth L. Lucas Jr.
2905 Stockton Road
Phoenix, Md. 21131

79-2094
89-14



To Whom it May Concern

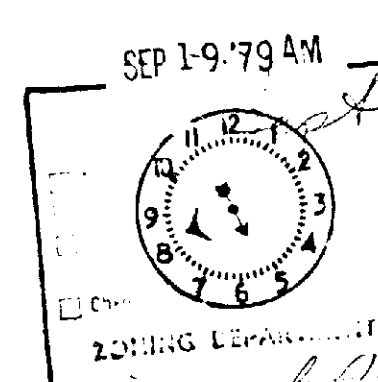
I am a resident of the Johns Creek section of Baltimore County, and resident in the immediate vicinity of Paper Mill and Old York Roads. I would like to formally object to the proposed rezoning of property on Old York Road for purposes of constructing an animal shelter etc.

The rezoning of property as a residential and agricultural area for commercial usage can only adversely affect property values and set a precedent for future such rezoning. While I fully realize the necessity of such facilities and support any group which attempts to protect animal life, I cannot in good conscience favor the rezoning of this property as a site for such a facility.

Yours truly,
Mary Ann Keeton
2921 Stockton Rd
Phoenix, Md. 21131

Charles J. Coffer
2921 Stockton Rd
Phoenix, Md. 21131

79-2103
89-14



Mr. Harmond
Zoning Commissioner of Baltimore County
County Office Building
Towson, Md. 21204

Re: Zoning Petition #80-48-XA

Dear Mr. Harmond,

I live approximately 2 1/2 miles from the location for the proposed kennel, animal boarding place, veterinarian and animal cemetery in the above referenced petition. I urge you not to grant this exception to the petitioners.

Since the property values would decrease and the organization is non-profit (pay no property tax) I feel this is not in the best interest of our area and Baltimore County.

I am against this rezoning.

Sincerely,
Harmon B. Smith
13606 Deerpark Rd. 21013

79-2101
89-14

Sept 15, 1979
2907 Stockton Rd
Phoenix, Md. 21131

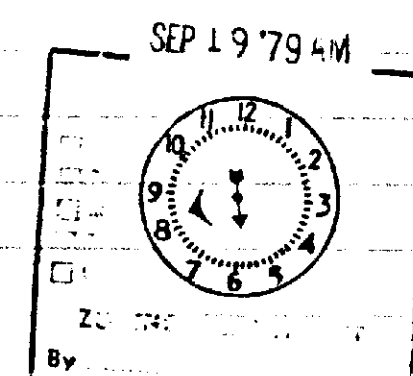
Dear Sir,

I would like to express my negative opinion of the proposed kennel on Old York Rd in Phoenix. I consider it an unfavorable decision for our area community.

Please consider my feelings in the upcoming hearing on Sept. 18, 1979.

Thank you!

Bonnie Carter



79-2094
89-14

September 18, 1979

Zoning Commissioner
Baltimore County

Zoning Petition No. 80-48-XA

Seven years ago, I moved to Baltimore County for the clean air and the lovely quiet surroundings.

I understand the Defenders of Animal Rights wants to construct a kennel, animal boarding place, veterinarian and animal cemetery on property a mile from my home.

Since they plan to destroy all types of animals from not only Baltimore County but from the city and other counties, it will undoubtedly cause a great deal of air pollution and a terrible stench instead of the nice clean air we breathe today.

I am upset about the holding and testing of potentially rabid animals at this location. This past summer our two year old daughter was bitten by a stray dog on our property. We found the dog and he was tested and everything was negative, but with this location so close to all our homes that could easily happen to any of our children in the future.

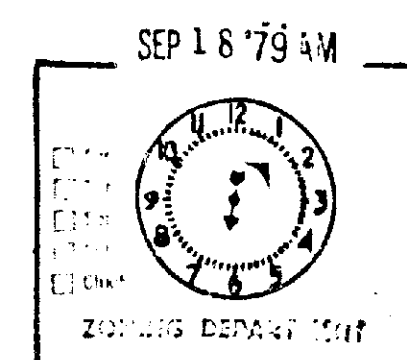
The fact that a kennel usually has certain hours that they are open is possible to cause a problem too of people missing the closing hours and just dropping the animals and letting them loose at our front doorsteps.

I am very opposed to petition No. 80-48-XA and will go to further lengths to fight it.

Sincerely yours

Barry F. Ditsche

Barry F. Ditsche



WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 13, 1983

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

RE: Mary Testudine, et al
Case No. 80-48-XA
(Utilization of Special
Exception within the Allotted
Time Period)

Dear Mr. Gontrum:

Based upon the information contained in your letter of January 4, 1983, as well as the letter to you from Mrs. Mary Jo Kovic, President of Defenders of Animal Rights, Inc., dated September 15, 1982, I am of the opinion that your client is proceeding well within the confines of the requirements for utilizing a special exception, as set forth in Section 502.3 of the Baltimore County Zoning Regulations.

If you have any further questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:JED:nr

cc: Mr. William E. Hammond
Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor

Case File

REL PETITION FOR SPECIAL EXCEPTION : BEFORE
for a Kennel, etc. and for : COUNTY BOARD OF APPEALS
VARIANCES from Section 421.1 :
and Section 421.2 of the : OF
Baltimore County :
Zoning Regulations : BALTIMORE COUNTY
E/S of Old York Road 1900' :
N. of Paper Mill Road :
10th District :
Mary Testudine, et al : No. 80-48-XA
Petitioners :

OPINION

This case comes before the Board of Appeals on an appeal by the Petitioners for a special exception for a kennel, animal boarding place and a veterinarian, as well as an appeal by the Protestants from the decision of the Deputy Zoning Commissioner granting this special exception with restrictions. The Protestants, comprised of residents, homeowners of nearby subdivisions, appealed the granting of the special exception, and the Petitioners' appeal is based on the restrictive controls placed on the request as granted by the Deputy Zoning Commissioner.

The property is a thirty-five (35) acre wooded tract of land located in the Tenth Election District of Baltimore County in an R.C. 4 and R.C. 5 zoned area. The subject property is located on the east side of Old York Road 1900 feet north of Paper Mill Road. It is adjoined on the south and west by one acre lot subdivisions of expensive individual homes. The property to the north and west is undeveloped farmland and woods. The Petitioners propose to build a single story veterinarian, fully enclosed, which would contain the facilities for the adoption and treatment of small animals, primarily dogs and cats, as well as a detached outdoor paddock and barn for the treatment of larger animals. Testimony by expert and many lay witnesses was heard by the Board over a six day period.

The Petitioners case, as well as the Protestants rebuttal, involved a substantial amount of testimony as to the need for this type of facility in this specific area. The Board, in interpreting Section 502 of the Baltimore County Zoning Regulations and in light of *Rockville Fuel & Feed Co. vs. Board of Appeals of City of Gaithersburg*, 257 Md. 183 (1970) interpreting County codes such as those existing in Baltimore County, finds that need is not an issue which should become the basis of any decision for a special exception in Baltimore County. It is clear, in reviewing Section 502, that the County Council

ASSOCIATES
CHARLES E. FOUR, III
JOHN B. BONTRUM
JOHN D. HENNEDAN
ALFRED M. WALPERT

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(GERMANIA FEDERAL BUILDING)
ESSEX, MARYLAND 21221

January -, 1983

Baltimore County Office of Planning and Zoning
Zoning Commissioner's Office
Ms. Jean M. Jung, Deputy Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Defenders of Animal Rights, Incorporated

Dear Mr. Jung:

As you may recall, Mr. Romadka and I met with you with respect to Defenders of Animal Rights, Incorporated case, which you heard some time ago. You may recall that this case was taken before the Board of Appeals and a copy of their decision is enclosed. As you know, Section 502.3 of the Baltimore County Zoning Regulations requires that a Special Exception would be commenced within two years of the date of its award. A letter from Mrs. Kovic detailing the construction plans is enclosed. Please review these plans and let us know if you think we should seek an extension of time formally at this point of our Special Exception. We should inform you that Phase I has already been completed and that Phase 2 is already under way.

At the time of our meeting, it was my recollection that you did feel that we would not need a further hearing with respect to obtaining an extension if the work as we described was completed, and that the start of Phase 2 would perhaps meet the requirements of starting construction under Special Exception. Your review of this matter would be much appreciated.

Very truly yours,

John B. Gontrum
John B. Gontrum

JBG/meh

Enclosures

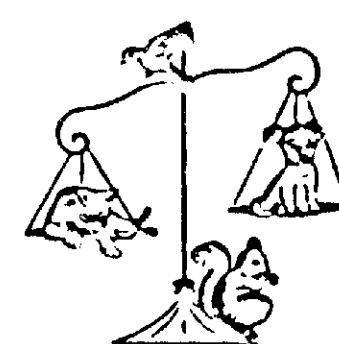
Mary Testudine, et al - #80-48-XA

does not find that a need for the proposal has to be demonstrated by the Petitioner. On the contrary, Section 502 merely states that the Petitioner must show that his proposal will not be a detriment. The Board further finds that the proposal made by the Petitioner is significantly different than the commonly accepted design for a veterinarian and kennel. For the first time in Baltimore County a substantially sized kennel would be built in which all the veterinarian and animal keeping facilities would be totally enclosed. The proposed facility would contain indoor dog runs; the transfer of animals would take place only after pickup trucks delivering animals to the site were inside and the garage door for the facility closed; all waste and by-products from the veterinary operation, be they dead animals or waste from the animals, would be adequately handled so as not to impose a threat to the community's health and welfare. The proposed waste treatment system was approved by the Baltimore County Health Department.

The proposed building and its operation, as described by the Petitioners' expert witnesses, would be in the center of the 35 acre tract and would be 1200 feet from the nearest existing dwelling. The proposal includes maintaining ninety-six (96) percent of the 35 acre tract in its natural state, including large trees and woodlands, where the building would be constructed. Considerable testimony was given by expert real estate witnesses who, on the Petitioners' side, stated that the study of similar enclosed kennels in Montgomery County and Arlington, Virginia, found them to be remarkably compatible and assured a new image to the use of the term "kennel," if the proposal was built as planned.

Mr. Frederick Klaus testified that in a detailed study of property value, surrounding neighbors' properties would not be adversely affected by the proposed use. This testimony was rebutted by the Protestants' experts; Bernard Willemain, Palmer C. Williams, Jr. and Ernest Kern. It is significant to the Board that these latter experts testified on the basis of existing and obviously obnoxiously designed kennels, rather than the new all enclosed kennel which the Petitioners propose. The only credible testimony on the issue of an enclosed kennel was presented by the Petitioners.

After all the testimony by the Petitioners and the Protestants, the case was best summarized by the Protestants' final witness. Mr. Kern testified that the new



Defenders of Animal Rights, Inc.

P.O. BOX 4786 BALTIMORE, MARYLAND 21211
September 15, 1982

Mr. Robert J. Romadka
Attorney-At-Law
Germania Federal Building
809 Eastern Boulevard
Baltimore, Maryland 21220

Dear Mr. Romadka:

Recently, Jim spoke with Mr. Doug Swan, of the Baltimore County Zoning Office, regarding Section 502.3 which states:
A Special Exception which requires any construction for its utilization shall be deemed to have been used within its authorized time if such construction shall have commenced during the authorized period, or any extension thereof, provided said construction is thereafter pursued to completion with reasonable diligence.
According to Mr. Swan, "construction" means the foundation, walls, and roof. We should have this much built by December 1983 and thereby be in compliance with Zoning.

If I am interpreting the law correctly, Zoning mandates only the start of construction during the "authorized time" or "any extension thereof" - not completion. There is no deadline for completion, as long as it is pursued with "reasonable diligence." That we will fulfill this requirement also seems likely from the timetable I am submitting herein.

However, additional clarification might be wise to avoid any misunderstanding. Furthermore, do you want to request an extension now in the event some unforeseeable delay might hamper us from putting up the entire outer shell of the building by next winter?

I am outlining our plans for the shelter's completion. You can see we have already gone to considerable work and expense to:

1. Complete site grading.
2. Finish road construction, drainage runs, and culverts.
3. Lay crusher run on interior road and parking area.
4. Pave entrance on Old York Road.
5. Install curbing and gutters at entrance and building site.
6. Seed and mulch all areas cleared during grading process.
7. Install security cable across road at entrance and "NO TRESPASSING" sign to prevent trespassing.
8. Involve Baltimore County Soil Conservation service in a study to determine feasibility of a waterfowl pond on the wildlife sanctuary portion of the 35.8 acres.

"The scales of justice must be equal for all God's creatures."

Mary Testudine, et al - #80-48-XA

modern enclosed kennel design would be a significant improvement over the existing types of kennels and their image, however, the bad image of kennels would carry over to affect real estate values in the neighborhood. In other words, a kennel is a kennel regardless of the actual attributes of the design. Obviously, this is a holdover from the days when kennels were, and to a large extent still are, obnoxious neighbors and truly not compatible with residential uses. Mr. Kern says that a kennel, even a kennel without flaws, is a detriment to the neighborhood and would adversely affect property values in the surrounding communities.

The Board accepts this proposition but is left with what seems to be an untenable conflict between the very existence of special exceptions in residentially oriented zones. If the Board were to hold that a kennel with no deficiencies was by definition a detriment as a neighbor, the Board would never grant a special exception for a kennel, even though the County Council in its wisdom specifically provided that it should do so. The Board believes that the County Council has charged this body to look for those flaws in the proposal which would specifically become a detriment to the general welfare envisioned by Section 502 of the Baltimore County Zoning Regulations. Having found no flaws in this proposal, the Board feels obligated to grant the petition. The County Council has said that kennels in residential and rural conservation zones are not per se detrimental to the community, otherwise, they would never have included them in the permitted list of special exceptions. It is also clear that the vehement protest which was displayed almost universally by the surrounding neighbors comes as the result of the typical kennel image of howling dogs and stray animals. The Board believes, considering the design of the proposed building and its location, the surrounding neighbors would not be in any way affected by the use as requested nor denied the enjoyment of their properties.

The Board believes the opposition of the Veterinarian Association of Baltimore County is based solely on the issue of competition rather than the technical flaws of the proposed use. In this regard, the two veterinarians, Dr. Michael Lynch and Dr. William Robert Shortall, testified primarily as to the lack of need for the services proposed by the Petitioners, which cannot be considered by the Board. When asked

Mr. Robert J. Romadka
Page Two
September 15, 1982

The heretofore mentioned projects end Phase I and cost in excess of \$85,000.

We are ready to begin the next phases:

1983 Phase II: Excavate building site; put in septic system, water and electrical service to site, foundation and footers, rough plumbing, walls, roof, doors, windows, and security system. COST: \$225,000

1984 Phase III: Complete all interior work (partitions, painting, etc.); mechanical work (plumbing, electricity, air handling, etc.). COST: \$200,000

1985 Phase IV: Install kennel caging, furnishings, etc. Pave entire road and parking area. Paint parking stripes, center lane, edge of road. Install concrete parking stops. Finish sidewalks and landscaping. COST: \$100,000

1986 Phase V: Erect barn/paddock and fencing. Purchase vehicles, supplies, furnishings, etc. Hire and train employees. COST: \$160,000

This schedule should see us in operation in 1986. As you know, we are doing everything possible to open our doors earlier. Any problems would extend this estimate by only a year, at the most.

Please advise us as to whether our understanding of the law is accurate. We want to be in full compliance so that our work will not be hampered. We also want to show the community that our operations will be as professional and efficient as we promised they would be.

Sincerely,

Mary Jo Kovic
Mrs. Mary Jo Kovic
President

mjk

cc: Mr. John Gontrum

Mary Testudine, et al - #80-48-XA

directly whether the proposal would be a detriment to the community, they responded that generally the layout and proposal were extremely well-done and, with minor exceptions, saw no detriment.

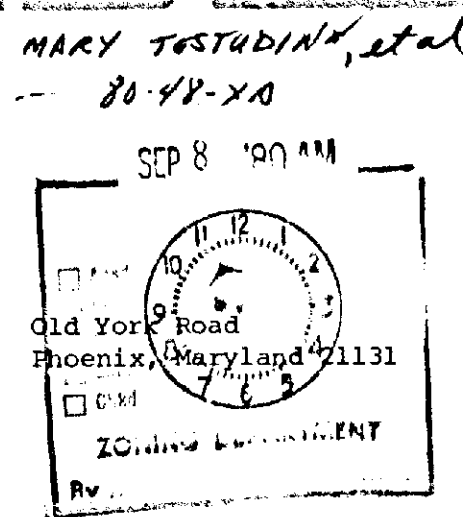
The Board finds, after hearing the testimony presented, that the Petitioners have sustained their burden of proof and that the proposed kennel will not be detrimental to the neighborhood under Section 502 of the Baltimore County Zoning Regulations and, therefore, will grant the petition.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 15th day of December, 1981, by the County Board of Appeals, ORDERED that the special exception for a kennel, animal boarding place and veterinarian petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

1. The proposed improvements and uses shall be contained within the R.C. 2 portion of the subject property.
2. Compliance with the setback requirements and Section 421 of the Baltimore County Zoning Regulations regarding all construction including parking area, but excluding the entrance driveway.
3. The proposed veterinarian shall be completely enclosed within the main shelter building. No outdoor animal runs shall be permitted. Sound and odor proof construction shall be used for the veterinarian so that no animal odor or sound, other than normal sounds associated with large animals housed in the paddock area, may extend beyond the boundaries of the subject property. The sound level at the boundary from the veterinarian shall in no ten minute period exceed 65 decibels sound level.
4. The building exterior shall have the appearance of a professional building, be one-story in height, not exceed 70' x 150' in area, and have a 20' x 30' attached enclosed garage with electric doors.
5. The wildlife preserve area shall be posted "no trespassing" and closed to both the public and the members of the society.
6. The trees and shrubbery, along or within the north, east and south boundary lines, shall be maintained.

10-1955
file



September 4, 1980

Mrs. Jung
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mrs. Jung:

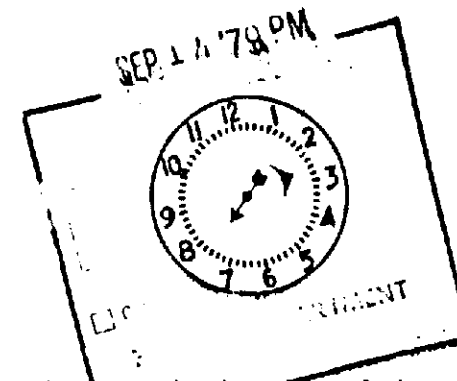
Consistent with my testimony at the Public Hearing conducted in September, 1979, I wish to again express my opposition to the proposed zoning exception for an animal shelter to be located on a parcel of land on the west side of Old York Road, just north of its intersection with Paper Mill Road in the Jacksonville area.

It is my opinion that this use is totally inconsistent with the existing residential community and agricultural properties which surround this parcel of land.

Sincerely,

Thomas W. Greene
Thomas W. Greene

7-20-81
89-126



Zoning Commission of Baltimore County
County Office Building
Towson
Maryland 21204

Dear Commissioners:

Reference: Zoning Petition Number 80-48-XA

The Old York Manor Community Association gives its authorization for the below listed members and property owners of the Old York Manor Community to speak on behalf of its membership in opposition to the above referenced zoning petition presently scheduled for hearing on September 18th, 1979 at 1:30 PM in Room 106 of the County Office Building located at 111 W. Chesapeake, Towson, Maryland.

Mr. Palmer Williams
14203 Sagewood Road
Phoenix, Maryland 21131
Telephone: 666-7412

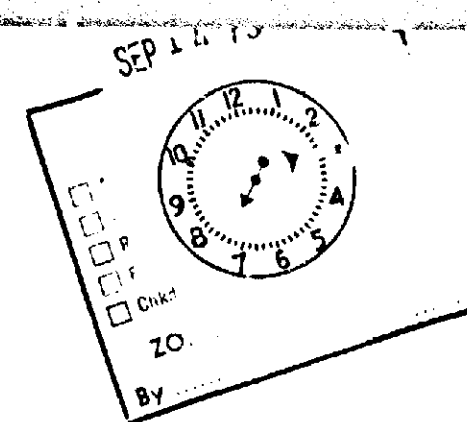
Mr. John Morris
6 Doe Court
Phoenix, Maryland 21131
Telephone: 628-1136

Mr. Ralph Kelbaugh
7 Stag Court
Phoenix, Maryland 21131
Telephone: 666-0952

Thank you very much.

Yours very truly,
Joseph E. Camp
Joseph E. Camp
President
Old York Manor Community Association

7-20-81
89-126



Zoning Commission of Baltimore County
County Office Building
Towson
Maryland 21204

Dear Commissioners:

Reference: Zoning Petition Number 80-48-XA

During a meeting of the Old York Manor Community Association held September 1st, 1979, it was resolved that the Association would be represented by legal counsel before the Baltimore County Maryland Zoning Commission Meeting scheduled for September 18th, 1979 at 1:30 PM in Room 106 of the County Office Building located at 111 W. Chesapeake and any other proceedings which may hereafter be established for the purpose of consideration of the above referenced zoning petition.

It was further resolved that such legal counsel be Mr. Edward C. Covahey, Jr., Attorney at Law, and that Mr. Edward C. Covahey, Jr. is authorized to speak on behalf of the Old York Manor Community Association with respect to the Association's membership opposing to the above referenced zoning petition.

Yours very truly,

Joseph E. Camp
Joseph E. Camp
President
Old York Manor Community Association

JEC/ba

7-20-81
89-126

LAWRENCE B. SCALLY
RESIDENCE: 848-9390

SCALLY & SCALLY, P.A.

ATTORNEYS AT LAW
(301) 661-8590

PATENT ATTORNEY - RICHARD M. McMAHON

8901 HARFORD ROAD PARKVILLE - BALTIMORE COUNTY - MARYLAND 21234

September 10, 1979

Zoning Board for Baltimore County
111 West Chesapeake Avenue
Towson - Maryland 21204

Attention: Honorable William E. Hammond - Commissioner

Dear Sir:

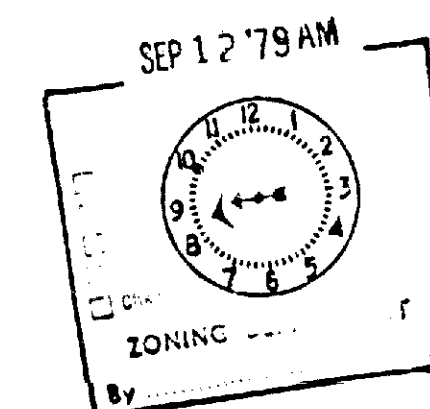
Re: File #80-48XA
Defenders of Animal Rights

This office represents Richard and Angela McMahon, of 2930 Paper Mill Road, who wish to protest the granting of Special Exception and Variance for the use of property "1900-foot north of intersection of Paper Mill Road and Old York Road".

Yours very truly,

Lawrence B. Scally
Attorney At Law

LBS:amd



90-1956

Sept. 6, 1980

Dear Mrs. Jung —

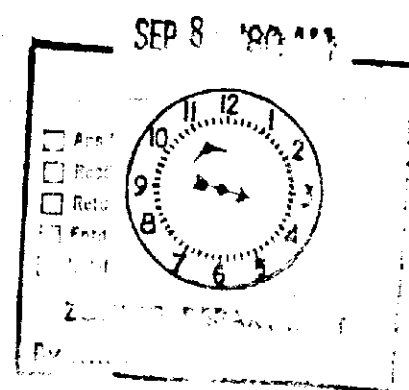
I remain as opposed today as I was a year ago to the proposed animal shelter on Old York Rd. near the intersection of Paper Mill Rd. and on the west side.

The use is not at all compatible with the area; the property was not hand-picked for its suitability as Mr. Kovick described — it was picked because of its depressed price — and surely the numbers of those opposed must impress you. Thank you for your help.

Sincerely,

Nancy Joe Greene
Old York Rd.
Phoenix, Md.
21131

Mrs. Jean Jung
Deputy Zoning Com.
County Office Bldg.
21204



JACKSONVILLE VETERINARY HOSPITAL
M. J. & M. L. LYNCH, D.V.M.s
W. R. MAHON III, D.V.M.
SWEET AIR ROAD
PHOENIX, MARYLAND 21131
TELEPHONE 666-1390

August 10, 1979

STATEMENT IN SUPPORT OF DEFENDERS OF ANIMAL RIGHTS, INC. (D.A.R.)

Having seen the slides of the proposed site, and after reviewing the plans, I feel that the location on Old York Road is an excellent location for an animal shelter and wildlife sanctuary. The shelter itself will be situated in the center of the entirely wooded parcel, 1400 feet from the road, and so will not in any way distract from anyone's view of the surrounding landscape. Over 30 acres will remain wooded which will certainly be an asset to the surrounding area.

I have dealt with the Kovics, the founders of D.A.R., for several years now and have found them as clients to be responsible and intelligent people. Their organization seems to be a highly motivated one and very effective. They were instrumental in the county's establishment of the mandatory spay/neuter policy regarding all of Baltimore County's adoptees. In addition, they provide a variety of services to the public—free of charge—ranging from educational programs in schools to rescue and adoption programs. If the animal shelter finally becomes a reality, they will expand and add to these services.

From my own experiences, and those of my wife who is presently the veterinarian for the Baltimore County Animal Shelter, we see the need for a great effort in dealing with the problem of homeless and mistreated animals. From the past record of Defenders of Animal Rights, Inc., and what I know personally of the Kovics and several of my clients who are also members of their organization, I think that the county would greatly benefit from the proposed animal shelter/wildlife sanctuary.

Respectfully,

Michael J. Lynch, D.V.M.

MJL

JAMES F. TURNER, JR.
57 W. TIMONIUM ROAD, #100
TIMONIUM, MARYLAND 21083

November 2, 1979

Baltimore County Planning & Zoning Commission
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Mrs. Jean Marie Jung

Dear Mrs. Jung:

I'm writing on behalf of the Defenders of Animal Rights, Inc., P.O. Box 4786, Baltimore, Maryland 21211.

Our residence is on Manor Road about two miles from the proposed Animal Shelter. I can readily see the consternation of some of my friends and neighbors regarding this proposal.

There are two things I wish to point out. First, I am morally sure these people are very sincere and are acting in the interest of protecting animals and relieving their misery. I and others in the Manor area have supported Defenders of Animal Rights in the past. Secondly, they have chosen a most unobtrusive location, which due to the trees and land conformation could put this proposed shelter almost out of sight. I am hoping that plans and guidelines can be set-up in such a way that they can increase their good works without any irritation to their closer neighbors.

I must confess that I write this in complete ignorance of the plans of the Defenders of Animal Rights, Inc., not only in buildings put in operation but I am convinced of the worthiness of their endeavors and the possibility that it can be done tastefully.

Very truly yours,

James F. Turner, Jr.

JFT/jr
cc: Defenders of Animal Rights, Inc.

Helen M. Grigal - Artist, Director & Founder
Walter E. Anderson - Executive Director
T. J. Kinkel - General Manager

October 12, 1979

Mrs. Jung:

This letter is written on behalf of the Defenders of Animal Rights in conjunction with their appeal for zoning to build an animal sanctuary on Old York Road. It is my hope that you are still considering this matter and will read through the following comments:

This project is really worthwhile and necessary. As a concerned person for the health, welfare and safety of animals, I have checked thoroughly into the DAR — its leaders and its policies — and I find them to be sincere and honest. The Kovicks are two dedicated people who give freely of their time to help better conditions for all animals. The DAR has done and continues to do so many good things and their effort to build a sanctuary is vital and worthy of total support.

It is my understanding that the sanctuary is to be built in a totally wooded area 1/4 mile off York Road, thereby locating it at least 1/4 mile from any surrounding residence. Additionally all runs are to be indoors and only ten business hours are projected for the operation. I understand also that there will be 24-hour maintenance and personnel available to handle any emergencies whatsoever.

During my conversation with Mrs. Kovick, she explained that the traffic pattern would not be a problem since she has projected only four visitors an hour during weekdays. Knowing the Kovicks and their conscientious approach to this humanitarian work, I feel I can state unequivocally this shelter will be a model one and unique in every way. They are very knowledgeable about the North Shore Animal League which is an exemplary animal shelter and widely recognized throughout the country.

The Kovicks have done a great deal of research and soul-searching in their quest to establish an animal sanctuary. They have the support of many, many people who feel as passionate about this endeavor as they do and who want to see such an organization represented in the county.

A favorable ruling by you for proper zoning on the acreage now under discussion would be indeed the answer to many prayers and would be the beginning of an animal heaven on earth. We certainly need a bit of heaven on this earth, so please search your mind as well as your heart when you reach for an answer that must be given to make this dream either a happy reality or a sad matter of fact.

Sincerely,

Helen M. Grigal

Stevenson, Maryland 21153 Tel. (301) 653-9342

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The proposed facility would provide a sanctuary for wildlife from surrounding housing construction. In addition, this facility would provide additional service to County taxpayers, as D.A.R. would answer emergency calls. As a contributor of the organization, I am aware that this property is an excellent buy for \$5.00. If we were forced to go elsewhere, the price would be \$7.00 an acre. For these reasons, I urge you to think favorably for our behalf. Thank you for your time, understanding and, hopefully, support.

Sincerely,
Don W. Urban
3327 Marguerite Mills
Pawnee, Md 21031

Dear Mrs. Jung,
It is my understanding that you are presently considering the case of the proposed shelter on Laurel Rd. in Patuxent. I am writing you to express my wholehearted support of this facility. I live in the Patuxent area, approximately 1 1/2 miles from the proposed site. I feel this location is excellent for the shelter, as it is 100% wooded, a quarter mile off the road, and would be virtually unseen by passing motorists. I have been informed that the facility would be in an away district or perhaps the neighborhood. I have worked

- 2 -

My clients would respectfully appreciate your giving this matter your immediate attention as they would like to make a report to their organization before the end of this month as to the status of the present zoning case. As stated at the time of the hearing, this organization consists of 7,000 members who have been contributing funds for this project.

As you will note, the Petition for Special Exception was originally filed January 2, 1976 and due to extended delays and incorrect advertising, the Petition was not heard until Tuesday, September 18, 1979. Therefore, for the benefit of the property owner, the protestants and the general membership of this organization, it would be well for all concerned that this matter be disposed of as promptly as possible.

Thank you for your kind attention in this matter.

Very truly yours,
Robert J. Romadka

RJR/dsl
Enc.
cc: Mr. James Kovic
Defenders of Animal Rights, Inc.
cc: Edward C. Covahey, Jr., Esq.
cc: Lawrence Scally, Esq.
cc: Thomas J. Peddicord, Jr., Esq.
cc: Clarke Murphy, Jr., Esq.

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MARLOW & PEDDICORD
ATTORNEYS AT LAW
504 BALTIMORE AVENUE
TOWSON, MARYLAND 21204

June 16, 1980

Ms. Jean Jung
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

Dear Ms. Jung:

On behalf of the protestants in the above-captioned case, this is to register our opposition to the submission of a revised zoning site plan by the petitioner. We submit that the above-captioned item must be decided on the basis of the petitions, testimony and other evidence presented at the public hearing on December 18, 1979, and we continue to request that the Petition for Special Exception be denied.

Very truly yours,
Thomas J. Peddicord, Jr.

TJP:msp

cc: Edward C. Covahey, Jr., Esquire
Robert J. Romadka, Esquire
Lawrence B. Scally, Esquire
Clarke Murphy, Jr., Esquire

70-1329
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COVAHEY & BOOZER
ATTORNEYS AT LAW
514 BOSLEY AVENUE
TOWSON, MARYLAND 21204

November 5, 1979

Mrs. Jean Jung
Deputy Zoning Commissioner
County Office Building
Towson, MD 21204

Re: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

Dear Mrs. Jung:

I am in receipt of Robert J. Romadka's letter dated October 30, 1979 and am chagrined that he would undertake to discuss anything pertaining to this case with you without the opportunity of allowing all counsel to participate in the discussion. Not being privy to this discussion between you and he, I am unable with precision to determine exactly what particular thought he is attempting to convey in his letter of October 30, 1979. Additionally, I note that I received neither a copy of Applicant's Memorandum, nor any written request for an extension, and on behalf of the Protestants, take the position that the time for Applicant's filing of Memorandum has passed, and accordingly, the case is in a posture to be decided on the plans as submitted and the testimony as heard by the Commissioner.

It is our further position that the Applicant may not revise site plan, or in any manner alter same from that as submitted, as to do so would be in derogation of the advertisements placed on the property and in the newspaper.

Again, I reiterate that on the law and the facts this Application should be denied.

Thank you for your consideration and the benefit of any thoughts you may have on this matter.

Very truly yours,
Edward C. Covahey, Jr.

ECC/pa
cc: Robert J. Romadka, Esq.
Lawrence Scally, Esq.
Thomas J. Peddicord, Jr., Esq.
Clarke Murphy, Jr., Esq.

70-1329
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COVAHEY & BOOZER
ATTORNEYS AT LAW
514 BOSLEY AVENUE
TOWSON, MARYLAND 21204

June 13, 1980

Ms. Jean Jung
Deputy Zoning Commissioner
County Office Building
Towson, MD 21204

Re: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

Dear Ms. Jung:

Please treat this letter as formal opposition on behalf of the protestants in the above-captioned matter to a reception by the Deputy Zoning Commissioner of the revised zoning site plan. It is our position that this plan may not be accepted subsequent to the hearing and that should the petitioners desire to proceed using that plan, it would be necessary to re-advertise, etc.

Accordingly, it is respectfully requested that the Petition for Special Exception be denied.

Very truly yours,
Edward C. Covahey, Jr.

ECC/pa
cc: Robert J. Romadka, Esquire
Lawrence B. Scally, Esquire
Clarke Murphy, Jr., Esquire
Thomas J. Peddicord, Jr., Esquire

70-1329
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ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221

November 2, 1979

Lawrence B. Scally, Esq.
8901 Harford Road
Baltimore, Maryland 21234

Re: Defenders of Animal Rights
Petitions for Special Exception and Variance
Item No. 220

Dear Mr. Scally:

In further reply to your letter of November 1, 1979 addressed to Mrs. Jean Jung, please be advised that the Petitioner does not intend to withdraw its Petition but merely amend the present site plan that had originally been filed with the Petition. If it appears that the amended site plan can eliminate the need for a variance, it then becomes a question of procedure in how the amended site plan should be filed.

I would, therefore, suggest that before any decision is made upon your request that it first be determined whether or not the site plan can be amended to avoid the necessity of a variance at which time, we can discuss with the Deputy Zoning Commissioner what procedures should be followed in our filing the amended site plan. I would be most willing to give you the opportunity to suggest what procedure should be followed by the Deputy Zoning Commissioner if, in fact, an amended site plan can be filed. We obviously want to give all of the parties the opportunity to be heard on the amended site plan prior to the zoning Commissioner making any final decision.

I will, therefore, advise all counsel at such time that the site plan has been amended prior to my filing same with the Office of Planning and Zoning.

Very truly yours,
Robert J. Romadka

RJR/dsl
cc: Mrs. Jean Jung
Deputy Zoning Commissioner
cc: Edward C. Covahey, Jr., Esq.
cc: Thomas J. Peddicord, Jr., Esq.
cc: Clarke Murphy, Jr., Esq.
cc: Defenders of Animal Rights, Inc.

70-1329
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ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221

June 11, 1980

Ms. Jean Jung
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

Dear Mrs. Jung:

In accordance with my letter to you of October 30, 1979, please find enclosed herewith revised zoning site plan and site plan to accompany approved application for percolation test with letter from Baltimore County Health Department dated December 6, 1979, which amended plans now show all structures to be located at least 200 feet from the property line of the subject property. The relocation of these proposed buildings and the septic tank system areas that would service said buildings have been reviewed and approved by the Department of Health per their enclosed letter of December 6, 1979. Since the Health Department has now approved the revised locations of these improvements, it will not be necessary for the Petitioner to request a Petition For Variance at this time.

I would, therefore, ask that the revised zoning site plan be accepted at this time as well as the plat accompanying the approved application for the now approved percolation test and letter from the Health Department dated December 6, 1979. I would also request that our Petition for Variance be withdrawn at this time.

With the withdrawing of our Petition for Zoning Variance, the protestants' motion to dismiss said Petition for Variance has now become a moot question and does not require your Petitioner to file a memorandum opposing said motion at this time. I would, therefore, respectfully request that the Petition for Special Exception for a kennel, animal shelter, veterinarian and cemetery be approved by you at this time in accordance with the amended site plan as now revised dated November 6, 1979.

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SCALLY & SCALLY, P.A.
ATTORNEYS AT LAW
3011 861-8500

November 1, 1979

Mrs. Jean Jung
Deputy Zoning Commissioner
County Office Building
Towson - Maryland 21204

In re: Rights of Protestants Concerning Petitions Filed By Defenders of Animal Rights for Special Exception and Variances as Item No. 220

Dear Mrs. Jung:

I am, this day, in receipt of a copy of a letter from Robert J. Romadka, Esquire, to you, dated October 30, 1979, in the captioned matter.

The hearing, held on September 18, 1979, considered this matter as presented by the Petitions which had been set forth in the required advertisement. It is on the facts as presented to you on that date, relating to those Petitions, which requires an answer.

Rather than file a rebuttal Brief to the Memorandum filed by Edward C. Covahey, Jr., Esquire, the Proponents now choose to withdraw those Petitions and to rewrite and present a new Petition.

There is no provision in the Law, nor could such a provision be constitutionally secure, to hold this matter in limbo while the Proponents prepare a new and different Petition and after which you would be asked to make a determination based on the testimony of a previously concluded hearing concerning a different Petition.

For the reasons developed at the hearing on September 18, 1979, and as further enunciated in the Memorandum of Law filed by Edward C. Covahey, Jr., Esquire, my clients respectfully request that you forthwith deny the Special Exception and Variances Petitions filed by the Defenders of Animal Rights as Item No. 220.

Yours very truly,
Lawrence B. Scally
Attorney At Law

LES:amd
cc: Edward C. Covahey, Jr. - Esquire
Thomas J. Peddicord, Jr. - Esquire
Clarke Murphy, Jr. - Esquire
Robert J. Romadka - Esquire

at the current Baltimore County Animal Shelter on Manor Rd. and was unaware that the facility even existed until I drove up to the door. Noise from the animals was minimal, even though half of each run extended outdoors. The absence of Animal Rights facility would have no outdoor runs, thus completely eliminating possible disturbance to the neighborhood. Traffic from Animal Control vans on Manor Rd was never a problem to my knowledge, and I doubt vehicles going to and from the D.A.R. shelter would create any hazard to residents of Old York Rd. Furthermore, instead of adding more development to the area,

RE: PETITION FOR VARIANCE from Section 421.1 of the Baltimore County Zoning Regulations NE corner Harford and Glen Arden Roads 11th District
Walter Ross Ramage, et ux Petitioners
Case No. 76-138-A
William C. Klapaska, et ux and John W. Hession, III, People's Counsel for Baltimore County Protestants-Appellants

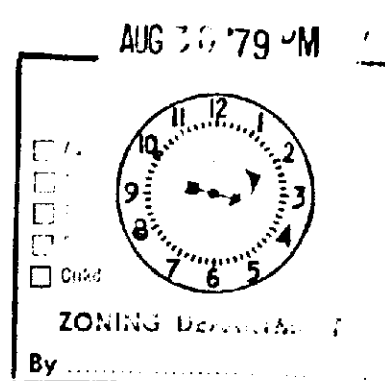
IN THE CIRCUIT COURT OF BALTIMORE COUNTY AT LAW
Misc. Docket No. 10
Folio No. 433
File No. 6363

The Court, in its Opinion dictated at the conclusion of the hearing on this matter, having found that the 200-foot requirement found in Section 421.1 of the Baltimore County Zoning Regulations is a use restriction which cannot be changed by variance under the provisions of Section 307 of said Regulations, it is, this 3rd day of August, 1979,

ORDERED, by the Circuit Court for Baltimore County, that the Order of the County Board of Appeals for Baltimore County dated September 8, 1977, granting a variance herein be and it is hereby REVERSED.

True Copy Test
ELMER H. KAHLINE, JR., Clerk
Deputy Clerk

Walter R. Haile
JUDGE



ORDER RECEIVED FOR FILING

DATE September 12, 1979

BY John P. Kelly, Clerk

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCES E/S of Old York Rd., 1900' N of Paper Mill Rd. - 10th Election District
Mary Tertudine, et al - Petitioners NO. 80-48-XA (Item No. 220)

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

This matter, having been advertised and posted for a public hearing, comes before the Deputy Zoning Commissioner as a result of a Petition for Special Exception for a kennel, animal boarding place, veterinarian, and cemetery and, additionally, a Petition for Variances to permit property line setbacks of 76 feet and 131 feet for a kennel and animal boarding place in lieu of the required 200 feet and a property line setback of 76 feet for a veterinarian in lieu of the required 100 feet.

The subject property contains 35.81 acres of land, more or less, and is zoned R.C. 2 and R.C. 4. The accompanying site plan depicts the proposed improvements to be located exclusively on the R.C. 2 portion of the subject property.

At the onset of the hearing, counsel for the Protestants made a Motion to dismiss the Petition for Variances based on a rendering by Judge Walter R. Haile in Case No. 76-138-A, signed August 3, 1979, that "the 200 foot requirement found in Section 421.1 of the Baltimore County Zoning Regulations is a use restriction which cannot be changed by variance under the provisions of Section 307 of said Regulations". The Motion was denied.

Testimony offered in behalf of or by the Petitioners indicated that the subject property is wooded, has moderate to severe topography, and has natural drainage to the south and west. The site is surrounded by wooded or farm land, and the closest residence is located to the north on Old York Road.

ROBERT J. ROMADKA
ATTORNEY AT LAW
808 EASTERN BOULEVARD
(BETHESDA FEDERAL BUILDING)
BETHESDA, MARYLAND 20814

October 30, 1979

Mrs. Jean Jung
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

Dear Mrs. Jung:

This will confirm my telephone conversation with you today in which I advised that the Petitioner is now revising the site plan in an effort to remove all structures from within the 200' set back of the property line. My client is making this effort in an attempt to avoid any additional confrontation with the protestants that already exists. While this attempt to avoid the necessity of a variance may not completely satisfy the protestants, it will certainly indicate my client's intention to try to develop this property in such a fashion that may be more compatible with the adjoining neighbors.

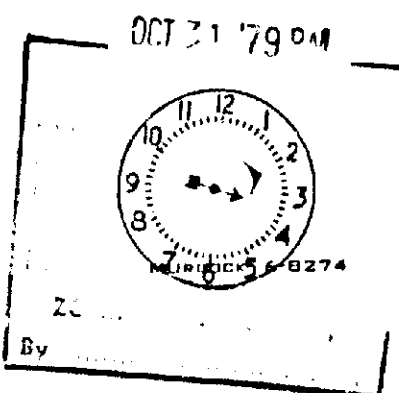
Therefore, it is my understanding that you have allowed me additional time to file the memorandum on the Motion to Dismiss the Variance pending my client's preparing a revised site plan.

Thank you for your kind consideration in this matter.

Very truly yours,

Robert J. Romadka

RJR/dsl
cc: Mr. James Kovic
Defenders of Animal Rights, Inc.
cc: Edward C. Covahey, Jr., Esq.
cc: Lawrence Scally, Esq.
cc: Thomas J. Peddicord, Jr., Esq.
cc: Clarke Murphy, Jr., Esq.



ROBERT J. ROMADKA
ATTORNEY AT LAW
808 EASTERN BOULEVARD
(BETHESDA FEDERAL BUILDING)
BETHESDA, MARYLAND 20814

October 12, 1979

Edward C. Covahey, Jr., Esq.
Lawrence Scally, Esq.
Thomas J. Peddicord, Jr., Esq.
Clarke Murphy, Jr., Esq.

Re: Defenders of Animal Rights, Inc.
Special Exception and Variances Petitions
Item No. 220

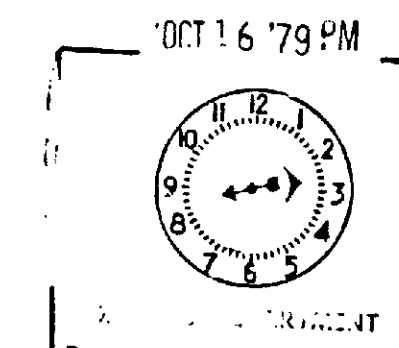
Gentlemen:

Since I will be out of the State during the week of October 15, 1979, I have requested and received from Deputy Zoning Commissioner, Jean Jung, a two-week extension in filing my memorandum. The memorandum would be filed on November 4, 1979. I would appreciate your consideration in agreeing to this extension.

Very truly yours,

Robert J. Romadka

RJR/dsl
cc: Mrs. Jean Jung
Deputy Zoning Commissioner
cc: Mr. James Kovic
Defenders of Animal Rights, Inc.



The contract purchaser is a non-profit incorporated humane society, whose purpose is the prevention of cruelty to animals, with over 4,000 members and self-perpetuating officers and board of directors. The vice-president testified that the society will perform valuable services to the public, such as humane education, animal rescue, and adoption. The site is centrally located to the membership, and the society intends to preserve 30 acres exclusively as wildlife property.

Further testimony was presented concerning the proposed improvements, including the installation of two septic sewage systems, a twenty-foot wide internal road, television cameras for security, and a freezer for carcasses of small dead animals until they are picked-up by a contracted rendering company.

Testimony offered by the Protestants indicated that the proposed uses would create a general nuisance because of noise, possible vicious dog fights, stray dogs escaping from the facilities, being abandoned or being attracted by the scent of females in heat. In addition, both Paper Mill and Old York Roads are winding, hazardous, congested during morning and evening rush hours, and the intersection has poor sight distance. The amount and location of water varies in the general locality, and there is the potential for pollution. The Protestants feared that the odor from the facility could be discerned by nearby residents. They expressed concern over the appearance of a commercial building and that the proposed uses would be semi-commercial and incompatible with the character of the area which is perceived as basic agricultural and residential. They also opposed the insufficient size of the proposed horse paddock, no veterinarian being involved in the operation, and the proposed uses possibly being detrimental to real estate values in the area.

Without reviewing the evidence further in detail but based on all of the evidence presented at the hearing, as well as a personal observation of the area during rush-hour traffic, in the opinion of the Deputy Zoning Commissioner,

ORDER RECEIVED FOR FILING

DATE September 12, 1979

BY John P. Kelly, Clerk

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond, Zoning Commissioner
FROM: John W. Hession, III, People's Counsel
SUBJECT: MARY TESTUDINE, et al - #80-48-XA

Date: August 28, 1979

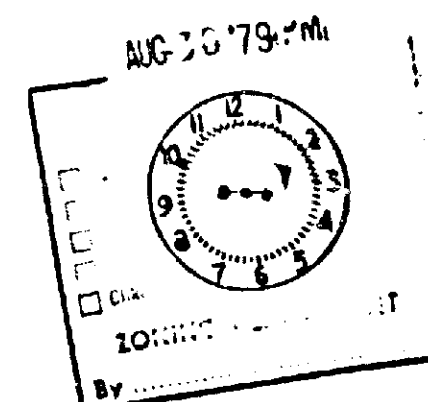
On Tuesday, September 18th, you have scheduled at 1:30 pm the above-entitled case. This apparently involves a request for a variance from the provisions of Section 421.1 which imposes a 200' area between a kennel and the nearest residential property line. In the case of "Walter Ross Ramage, et ux," #76-138-A, we battled to the Circuit Court the question of whether the 200' requirement was a use requirement or area requirement. If the former, a "use restriction," a variance could not be granted under the provisions of Section 307; if an "area requirement," a variance could be granted.

You will find enclosed a copy of Judge Haile's holding that the 200' requirement is a use restriction which cannot be changed by the grant of a variance under the provisions of Section 307.

John W. Hession, III

Enclosure

To: Mrs. Jung	Date: 10/18/79	Time: 1:55
WHILE YOU WERE OUT		
M.S. Kennedy	Phone: 686-8374	Area Code: 410
TELEPHONED	PLEASE CALL	EXTENSION
CALL TO SEE YOU	WILL CALL AGAIN	NUMBER
WANTS TO SEE YOU	URGENT	REASON
RETURNED YOUR CALL		
Message: Thank additional 15 days from Oct 15 to develop memorandum to Defenders of Animal Rights. Will be away the week of Oct 15.		



the uses would not be detrimental to the primary agricultural uses in its vicinity, the requirements of Section 502.1 of the Baltimore County Zoning Regulations have been met, and the health, safety, and general welfare of the community will not be adversely affected.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 12th day of September, 1980, that the herein Petition for Special Exception for a kennel, animal boarding place, and veterinarian should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The proposed improvements and uses shall be contained within the R.C. 2 portion of the subject property.
2. Compliance with the setback requirements and Section 421 of the Baltimore County Zoning Regulations.
3. The proposed veterinarian shall be odor and sound proofed. No animal odor or sound, other than normal sounds associated with large animals housed in the paddock area, may extend beyond the boundaries of the subject property.
4. The building exterior shall have the appearance of a professional building, be one-story in height, not exceed 70' x 150' in area, and have a 20' x 30' attached enclosed garage with electric doors.
5. The wildlife preserve area shall be posted "no trespassing" and closed to both the public and the members of the society.
6. The trees and shrubbery, along or within the north, east, and south boundary lines, shall be maintained.
7. The horse paddock, including the small barn, shall not exceed 110' x 70' and shall be fenced to securely accommodate no more than four large domestic animals at any one time.
8. The Petitioners shall provide water and two sewage systems to be approved by the Department of Health.
9. Smell animal wastes shall be washed into the sewer system or contained in tightly closed plastic until removal from the premises.

ORDER RECEIVED FOR FILING

DATE September 12, 1979

BY John P. Kelly, Clerk

10. The facilities shall only be operated by a non-profit organization and be manned 24 hours a day by no less than two paid employees.
11. There shall be no sleeping facilities provided for employees or volunteers.
12. All activities, uses, and services, except for the care of animals, maintenance of facilities, telephone contacts, and animal pick-up, shall be restricted to Monday through Saturday from 9:00 a.m. to 6:00 p.m.
13. The animal runs shall be restricted to inside the building.
14. The driveway shall be 20 feet wide, paved with macadam, and have a 24 foot wide entrance.
15. The area provided for parking shall consist of 20 designated spaces and be paved with macadam.
16. All outdoor lighting shall be located and arranged so as to reflect the light away from adjacent properties, and no more than one dusk-to-dawn security light shall be installed.
17. No more than 70 animals, including puppies and kittens, shall be accommodated on the property at any time.
18. The animals pick-up in the society's truck/van shall only be unloaded within the garage; the garage doors are to be securely closed during the unloading.
19. Veterinarian services shall only be provided for abandoned animals in the care of the society.
20. Compliance with Section 3 of the BOCA Code.
21. Only one identification sign, no larger than six square feet, shall be permitted.
22. A farm conservation plan shall be prepared by the Baltimore County Soil Conservation District, implemented as per the schedule established, and the subject property is to be maintained accordingly for the life of the proposed use.
23. There shall be no cremation of animals on the property. The carcasses of large animals shall be removed from the property immediately, and the carcasses of small animals shall be stored in a freezer until removed from the property.
24. All improvements must be completed and a vehicle purchased for animal pick-up before approval of an occupancy permit.

25. A revised site plan shall be submitted, indicating the uses of the proposed 70' x 150' building shown on the September 25, 1979, interior layout, incorporating all of the above restrictions, and approved by the Department of Health, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

It is FURTHER ORDERED that, by reason of County Council Bill No. 178-79, dated October 15, 1979, deleting cemeteries as a use permitted by special exception in an R. C. 2 Zone, the portion of the Petition for Special Exception for a cemetery is hereby DENIED.

It is FURTHER ORDERED that the Petition for Variances to permit property line setbacks of 76 feet and 131 feet for a kennel and animal boarding place in lieu of the required 200 feet and a property line setback of 76 feet for a veterinarian in lieu of the required 100 feet be, by reason of the decision of Judge Walter R. Haile, Case No. 76-138-A, and the same is hereby DENIED.

Jan M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES *
E/S of Old York Rd., 1900' N of *
N of Paper Mill Rd., 10th District *
OF BALTIMORE COUNTY

MARY TESTUDINE, et al, Petitioners : Case No. 80-48-XA

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 assigned therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
474-2188

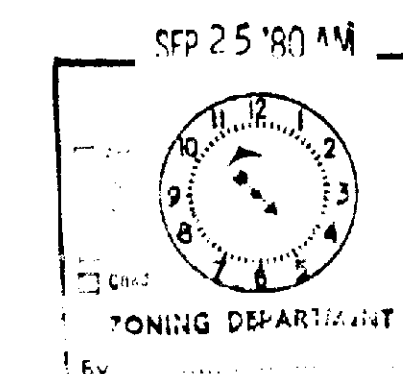
I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioners; and Mr. James R. Kovic, Vice-President, Defenders of Animal Rights, Inc., P. O. Box 4786, Baltimore, Maryland 21211, Contract Purchasers.

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

PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCES * ZONING COMMISSIONER
E/S of OLD YORK ROAD, 1900' N of *
PAPER MILL ROAD - 10th Election *
District * FOR
Mary Testudine, et al - Petitioners *
No. 80-48-XA (Item No. 220) * BALTIMORE COUNTY

ORDER FOR APPEAL

Please enter an appeal on behalf of Thomas Greene, Mary Joe Greene, David Collins, Doris Collins, Jerome Nowicki, Florence Nowicki, Henry Hartlove and Jacquelyn Hartlove to the County Board of Appeals from the decision of the Deputy Zoning Commissioner dated September 3, 1980 whereby said Commissioner did grant unto the Applicants a special exception for a kennel, animal boarding place and veterinarian.



Edward C. Covahey, Jr.
Edward C. Covahey, Jr.
Atty. for Thomas Greene,
Mary Joe Greene, David Collins,
Doris Collins, Jerome Nowicki,
Florence Nowicki, Henry Hartlove
and Jacquelyn Hartlove, Appellants
614 Bosley Avenue
Towson, MD 21204
828-9441

I HEREBY CERTIFY that on this 24 day of September, 1980, a copy of the foregoing Order for Appeal was mailed to Lawrence D. Scally, Esquire, 8901 Harford Road, Parkville, Maryland 21234, Thomas J. Peddicord, Jr., Esquire, 504 Baltimore Avenue, Towson, Maryland 21204, Clarke Murphy, Jr., Esquire, 700 Keyser Building, Baltimore, Maryland 21202, and John W. Hession, III, Esquire, People's Counsel, County Office Building, Towson, MD 21204, and Robert J. Romadka, Esquire, 809 Eastern Blvd., Balto. MD 21221.

Edward C. Covahey, Jr.
Edward C. Covahey, Jr.

RE: Petitions for Special * BEFORE THE
Exception and Variance *
E/S of Old York Road, 1900' * DEPUTY ZONING
N of Paper Mill Road *
10th Election District * COMMISSIONER OF
Mary Testudine, et al * BALTIMORE COUNTY
Petitioners *

No. 80-48-XA (Item 220)

ORDER FOR APPEAL

Please enter an Appeal to the Board of Appeals of Baltimore County from the Opinion and Order of the Deputy Zoning Commissioner dated September 12, 1980 on behalf of Defender's of Animal Rights, Inc.

Robert J. Romadka
Robert J. Romadka
809 Eastern Boulevard
Baltimore, MD 21221

686 8274
Attorney for Petitioner
James Kovic, T/A
Defender's of Animal
Rights, Inc.

CERTIFICATE OF MAILING

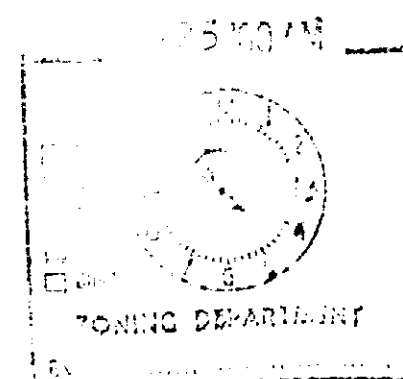
I hereby certify on this 10th day of Oct., 1980 that a copy of the foregoing Order for Appeal was mailed to the County Board of Appeals, Court House, Towson, MD 21204, Clarke Murphy, Jr., Esquire, 700 Keyser Building, Baltimore, MD 21202, Thomas J. Peddicord, Jr., Esquire, 504 Baltimore Avenue, Towson, MD 21204 and Lawrence D. Scally, Esquire, 8901 Harford Road, Parkville, MD 21234.

Robert J. Romadka
Robert J. Romadka

PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCES * ZONING COMMISSIONER
E/S of OLD YORK ROAD, 1900' N of *
PAPER MILL ROAD - 10th Election *
District * FOR
Mary Testudine, et al - Petitioners * BALTIMORE COUNTY
No. 80-48-XA (Item No. 220) *

ORDER FOR APPEAL

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Edward C. Covahey, Jr.
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and Jacquelyn Hartlove, Appellants
614 Bosley Avenue
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828-9441

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Edward C. Covahey, Jr.
Edward C. Covahey, Jr.

494-3180

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

January 9, 1981

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. 80-48-XA
(Item No. 220)

MARY TESTUDINE, et al

SE-for kennel, animal boarding place, veterinarian, and cemetery
Variance-for setback of 76' and 131' instead of the required 200' for kennel and a setback of 76' in lieu of required 100' for veterinarian

E/S of Old York Road, 1900' N of Paper Mill Rd.
10th District

9/12/80 - D.Z.C. (Jung) GRANTED kennel;
DENIED SE and Variance

ASSIGNED FOR:

TUESDAY, MAY 5, 1981, at 10 a.m. and
THURSDAY, MAY 7, 1981, at 10 a.m.

cc: Robert J. Romadka, Esq.
Ms. Mary Testudine
Salvatore & Margaret Testudine
Defenders of Animal Rights, Inc.
Edward C. Covahey, Jr., Esq.
Lawrence D. Scally, Esq.
Thomas J. Peddicord, Jr., Esq.
Clarke Murphy, Jr., Esq.
Mr. R. E. Pett
Ms. Helen Tinsley
Mrs. Charles McCormick
Ms. Benjamin Apicella
Ms. Lisa M. Sobieski
J. W. Hession, Esq.
J. E. Dyer
W. Hammond
J. Jung

Attorney for Petitioners
Petitioner
Petitioners
Contract Purchaser
Attorney for Protestants
Attorney for Protestants

People's Counsel
Zoning Office

June Holmen, Secy.

RE: Petitions for Special * BEFORE THE
Exception and Variance *
E/S of Old York Road, 1900' * DEPUTY ZONING
N of Paper Mill Road * COMMISSIONER OF
10th Election District * BALTIMORE COUNTY
Mary Testudine, et al *
Petitioners * No. 80-48-XA (Item 220)

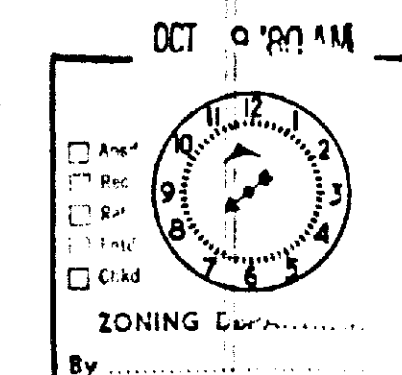
ORDER FOR APPEAL

Please enter an Appeal to the Board of Appeals of Baltimore County from the Opinion and Order of the Deputy Zoning Commissioner dated September 12, 1980 on behalf of Defender's of Animal Rights, Inc.

Robert J. Romadka
Robert J. Romadka
809 Eastern Boulevard
Baltimore, MD 21221

686 8274

Attorney for Petitioner
James Kovic, T/A
Defender's of Animal
Rights, Inc.



CERTIFICATE OF MAILING

I hereby certify on this 10 day of Oct., 1980 that a copy of the foregoing Order for Appeal was mailed to the County Board of Appeals, Court House, Towson, MD 21204, Clarke Murphy, Jr., Esquire, 700 Keyser Building, Baltimore, MD 21202, Thomas J. Peddicord, Jr., Esquire, 504 Baltimore Avenue, Towson, MD 21204 and Lawrence D. Scally, Esquire, 8901 Harford Road, Parkville, MD 21234.

Robert J. Romadka
Robert J. Romadka

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mary Testudine, et al, legal owners 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 N/A zone to an N/A zone; for the following reasons:

N/A

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Animal Boarding, Veterinarian, and cemetery

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.

James R. Kovio, Vice President
Contract purchaser
P.O. Box 4786
Baltimore, Maryland 21221

Robert J. Romadka
Petitioner's Attorney
809 Eastern Boulevard
Baltimore, MD 21221

Robert J. Romadka
Petitioner's Attorney
809 Eastern Boulevard
Baltimore, MD 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of July, 1979, 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 23rd day of August, 1979, at 11:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARY TESTUDINE, et al, legal owners 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 421.1 to permit a setback of 76' and

421.3 from property lines instead of the required 200' for kennel and animal boarding place 421.3 to permit a setback of 76' from the property line in lieu of the required

100' for a Veterinarian.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Due to extensive sewerage disposal area (28,500 S.F.) required and approved by the Baltimore County Health Department for the proposed Animal Shelter, the only feasible sites for the proposed building, cemetery and horse paddock are 76 feet, 49 feet, and 131 feet, more or less, respectively, from the nearest property lines, in lieu of the 200 feet as required by Regulation Section 421.1

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.

James R. Kovio, Vice President
Contract purchaser
P.O. Box 4786
Baltimore, Maryland 21221

Robert J. Romadka
Petitioner's Attorney
809 Eastern Boulevard
Baltimore, MD 21221

Robert J. Romadka
Petitioner's Attorney
809 Eastern Boulevard
Baltimore, MD 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of July, 1979, 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 23rd day of August, 1979, at 11:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: APR 2 1979

I, or we, Mary Testudine, et al, legal owners of the property situate in Baltimore County, the property outline of which is drawn to scale, complete with bearings and distances on 200 FT SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL EXCEPTION IN A RC-2 ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR

an Animal Shelter.

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 25.5 Ac. DEED REF. 3225/293

GRADING 10 % OF OVERALL SITE WILL REQUIRE GRADING.

BUILDING SIZE 25 x 30 (Garage) 750 = 11,250

GROUND FLOOR 150 x 70 AREA 10,500

NUMBER OF FLOORS 1 TOTAL HEIGHT 25'

FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = 12

BUILDING USE Administrative offices, kennels, veterinarian services, storage, heating, ventilation, air conditioning, and parking.

GROUND FLOOR Outdoor, Barn and Stable with Paddock, Cemetery.

REQUIRED NUMBER OF PARKING SPACES

GROUND FLOOR 32 OTHER FLOORS 0 TOTAL 32

PAVING AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 1,400 S.Y.

(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES

WATER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM Well

SEWER: ☐ PUBLIC ☒ PRIVATE, TYPE OF SYSTEM Septic Tank with Dry Wells.

UTILITIES SECURITY APPROVAL 3/22/79

BUREAU OF LAND DEVELOPMENT

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

James R. Kovio Mary Testudine

James R. Kovio, Vice President Mary Testudine

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BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

cc: McKee, Duval & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 13th day of July, 1979.

William E. Hammond
Zoning Commissioner

Petitioner Mary Testudine, et al

Petitioner's Attorney Robert Romadka, Esq. Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 10, 1979

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

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Bd. of Education
Zoning Administration
Industrial Development

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 220
Petitioners - Mary Testudine, et al
Special Exception and Variances
Petitions

Dear Mr. Romadka:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petitions. The following comments are not intended to indicate the appropriateness of the zoning 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.

Located on the east side of Old York Road north of Paper Mill Road in the 10th Election District, the subject of this petition is a 35 acre, more or less, tract of land zoned partially R.C. 2 and R.C. 4. Because of your clients' proposal to locate a cemetery, animal boarding place, kennel and veterinarian on the R.C. 2 zoned portion of this site, Special Exceptions for each use are required. The Variances are also included because the locations of the proposed structures are in conflict with Section 421 of the Baltimore County Zoning Regulations.

The submitted site plan should be revised to indicate the proposed uses of the 70' x 150' building, which I have been told would be a combination veterinarian, kennel, and animal boarding place. Note No. 2 would reflect that the proposal is for a veterinarian and not a veterinarian office, which does not allow overnight care. In addition, I would like to remind you that under Section 401 of the aforementioned Regulations, the Zoning Commissioner can impose certain restrictions on the proposed cemetery.

Item No. 220
Page 2
August 10, 1979

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition 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 the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:m

Enclosures

cc: McKee, Duval & Associates, Inc.
1717 York Road
Lutherville, Maryland 21093

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

June 12, 1979

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

Re: Item #220 (1978-1979)
Property Owner: Mary Testudine, et al
E/S Old York Rd. 1900' N. Paper Mill Rd.
Existing Zoning: RC 2 & RC 4
Proposed Zoning: Special E-ception for a kennel, animal shelter, veterinarian office and cemetery (IDCA 79-142)
and Variance to permit setbacks of 76' and 131' in lieu of the required 200' for an animal boarding place.
Acres: 35.811 District: 10th

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:

Comments were supplied for this property for IDCA Project 79-14X.

Highways:

Old York Road, an existing public road, is proposed to be improved in the future on a 70-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application or further development of this property.

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

Sediment Control:

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

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

Sept. 25, 1981

NOTICE OF ASSIGNMENT

CONTINUED HEARING

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. 80-48-XA
(Item No. 220)

MARY TESTUDINE, et al

SE-for kennel, animal boarding place, veterinary, and cemetery
Variance-for setback of 76' and 131' instead of the required 200' for kennel and a setback of 76' in lieu of required 100' for veterinary

E/S of Old York Rd., 1900' N of Paper Mill Rd.

10th District

9/12/80-D.Z.C. (Jung) GRANTED kennel;
DENIED SE and variance

ASSIGNED FOR:

THURSDAY, OCT. 8, 1981, at 1 p.m.

cc: Robert Romadka, Esq.

Counsel for petitioners

Ms. Mary Testudine

Petitioner

Salvatore & Marg. Testudine

Petitioners

Defenders of Animal Rights

Contract Purchaser

Ed. C. Covahey, Jr., Esq.

Attorney for Protestants

Lawrence D. Scally, Esq.

" " "

Clarke Murphy, Jr., Esq.

" " "

Mr. R. E. Pett

" " "

Ms. Helen Tinsley

" " "

Mrs. Charles McCormick

" " "

Mr. Benjamin Apicella

" " "

Ms. Lisa M. Sobieski

" " "

J. W. Hession, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

" " "

J. Jung

" " "

June Holmen, Secy.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for a Kennel, etc. : COUNTY BOARD OF APPEALS
E/S of Old York Road 1900' :
N. of Paper Mill Road : OF
10th District :
Mary Testudine, et al : BALTIMORE COUNTY
Petitioners : No. 80-48-XA

DISSENTING OPINION

This Board member dissents from the Majority Opinion in this case and will cite the following reasons for so doing.

On outward appearances the Petitioners present an ideal picture of the proposed use for a kennel. A completely enclosed, constantly supervised, dog kennel in the center area of a relatively large wooded tract seems to be an acceptable use. However, several aspects trouble this member and are the reasons for this dissent.

This entire area is zoned R.C. (Rural Conservation). In many R.C. zones the boundaries about some other zoning classification allowing a more intensive use. In such a situation certain special exception uses could be justified. In the instant case, however, the proposed use as a kennel would be completely within an R.C. classification. Since a kennel is neither residential nor agricultural in character, it has to be considered commercial in character. The Board heard expert testimony that such a use would not be detrimental to the neighborhood, and also heard expert testimony that it would be detrimental. Logic dictates that given a choice between two rural properties of similar characteristics, the more desirable would be the one that had no uses prevalent other than residential or agricultural. The kennel, as proposed to this Board, in itself would surely have no immediate or catastrophic impact on the surrounding area, but in this member's opinion the negative effect of its existence would surely be there.

The court has frequently expressed the applicable standards for the review of the grant or denial of a special exception use. The special exception has been determined to be a valid zoning mechanism allowing enumerated uses which the legislature has determined permissible absent any fact or circumstance negating the presumption. [Emphasis added]. Testimony from experts in this hearing was diametrically opposite

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

June 10, 1981

NOTICE OF POSTPONEMENT and REASSIGNMENT

ADDITIONAL HEARING DAYS

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. 80-48-XA
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MARY TESTUDINE, et al

SE-for kennel, animal boarding place, veterinary, and cemetery
Variance-for setback of 76' and 131' instead of the required 200' for kennel and a setback of 76' in lieu of required 100' for veterinary

E/S of Old York Rd., 1900' N of Paper Mill Rd.

10th District

9/12/80-D.Z.C. (Jung) GRANTED kennel;
DENIED SE and Variance

The above case, scheduled for hearing on TUES. and THURS., Aug. 25 and Aug. 27, 1981, at 10 a.m., HAS BEEN POSTPONED by the Board with agreement of counsel, and

REASSIGNED FOR:

TUESDAY, SEPTEMBER 22, 1981, at 10 a.m. and
THURSDAY, SEPTEMBER 24, 1981, at 10 a.m.

cc: Robert J. Romadka, Esq.

Attorney for Petitioners

Ms. Mary Testudine

Petitioner

Salvatore & Margaret Testudine

Petitioners

Defenders of Animal Rights, Inc.

Contract Purchaser

Edward C. Covahey, Jr., Esq.

Attorney for Protestants

Lawrence D. Scally, Esq.

" " "

Thomas J. Peddicord, Jr., Esq.

" " "

Clarke Murphy, Jr., Esq.

" " "

Mr. R. E. Pett

" " "

Ms. Helen Tinsley

" " "

Mrs. Charles McCormick

" " "

Mr. Benjamin Apicella

" " "

Ms. Lisa M. Sobieski

" " "

J. W. Hession, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

" " "

J. Jung

" " "

June Holmen, Secretary

Mary Testudine - #80-48-XA -- Dissenting Opinion

2.

as to the effects of this proposal on surrounding properties, both presently developed and those that could be developed in the future. The debatable aspect of this testimony feeds the concern of this member for the inclusion of this commercial enterprise into a strictly rural residential area, and it is my opinion that the welfare of the neighborhood would be detrimentally affected by the granting of this request. No matter how grandly a use is proposed for an area, certain uses inherently have stigmas associated with them and the operation of a commercial kennel in this locality will surely depress the resalability of the existing homes, will be a deterrent to any future development and generally be detrimental to the welfare of the locality.

Another facet of the proposed use also causes concern. The proposal presents the ultimate type of kennel use, however, the implementation of the use exactly as proposed hinges on several rather nebulous conditions. The Defenders of Animal Rights, Inc., proponents of this facility, is strictly the brainchild of Mr. Kovic and is totally dependent upon his enthusiasm for its success. Should he become disenchanted or ill or for any reason be unable to maintain this enthusiasm, the project as proposed would surely change. Even more than this aspect is the fact that D.A.R. presently depends one hundred percent on donations for its existence, and the condition of the economy in general could conceivably cause these donation to completely dry up, leaving a special exception for a kennel in an R.C. zone and no method to implement it.

These factors, when considering a commercial use completely within an R.C. zone would be, in this member's opinion, a detriment to the welfare of the surrounding community. It should also be noted that the use as proposed is a permitted use in B.L., B.R., B.M., M.L. and M.H. zones, would require no special exception in these zones, and would be, in this member's opinion, a much more suitable location for the proposed use.

For the reasons stated above, this member dissents from the Majority Opinion and feels that the requested special exception should be denied.

William T. Hackett
William T. Hackett, Chairman

Date: December 15, 1981

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

May 7, 1981

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. 80-48-XA
(Item No. 220)

MARY TESTUDINE, et al

SE-for kennel, animal boarding place, veterinary, and cemetery
Variance-for setback of 76' and 131' instead of the required 200' for kennel and a setback of 76' in lieu of required 100' for veterinary

E/S of Old York Rd., 1900' N of Paper Mill Rd.

10th District

9/12/80 - D.Z.C. (J. Jung) GRANTED kennel;
DENIED SE and Variance

ASSIGNED FOR:

WEDNESDAY, JUNE 24, 1981, at 10 a.m.

cc: Robert J. Romadka, Esq.

Attorney for Petitioners

Ms. Mary Testudine

Petitioner

Salvatore & Margaret Testudine

Petitioners

Defenders of Animal Rights, Inc.

Contract Purchaser

Edward C. Covahey, Jr., Esq.

Attorney for Protestants

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Mrs. Charles McCormick

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Mr. Benjamin Apicella

" " "

Ms. Lisa M. Sobieski

" " "

J. W. Hession, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

" " "

J. Jung

" " "

June Holmen, Secretary

REL PETITION FOR SPECIAL EXCEPTION : BEFORE
for a Kennel, etc. and for : COUNTY BOARD OF APPEALS
VARIANCES from Section 421.1 :
and Section 421.2 of the : OF
Baltimore County :
Zoning Regulations : BALTIMORE COUNTY
E/S of Old York Road 1900' :
N. of Paper Mill Road : No. 80-48-XA
10th District :
Mary Testudine, et al :
Petitioners :

OPINION

This case comes before the Board of Appeals on an appeal by the Petitioners for a special exception for a kennel, animal boarding place and a veterinary, as well as an appeal by the Protestants from the decision of the Deputy Zoning Commissioner granting this special exception with restrictions. The Protestants, comprised of resident homeowners of nearby subdivisions, appealed the granting of the special exception, and the Petitioners' appeal is based on the restrictive controls placed on the request as granted by the Deputy Zoning Commissioner.

The property is a thirty-five (35) acre wooded tract of land located in the Tenth Election District of Baltimore County in an R.C. 4 and R.C. 5 zoned area. The subject property is located on the east side of Old York Road 1900 feet north of Paper Mill Road. It is adjoined on the south and west by one acre lot subdivisions of expensive individual homes. The property to the north and west is undeveloped farmland and woods. The Petitioners propose to build a single story veterinary, fully enclosed, which would contain the facilities for the adoption and treatment of small animals, primarily dogs and cats, as well as a detached outdoor paddock and barn for the treatment of larger animals. Testimony by expert and many lay witnesses was heard by the Board over a six day period.

The Petitioners case, as well as the Protestants rebuttal, involved a substantial amount of testimony as to the need for this type of facility in this specific area. The Board, in interpreting Section 502 of the Baltimore County Zoning Regulations and in light of Rockville Fuel & Feed Co. vs. Board of Appeals of City of Gaithersburg, 257 Md. 183 (1970) interpreting County codes such as those existing in Baltimore County, finds that need is not an issue which should become the basis of any decision for a special exception in Baltimore County. It is clear, in reviewing Section 502, that the County Council

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

May 7, 1981

NOTICE OF ASSIGNMENT

ADDITIONAL HEARING DAYS

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. 80-48-XA
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MARY TESTUDINE, et al

SE-for kennel, animal boarding place, veterinary, and cemetery
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E/S of Old York Rd., 1900' N of Paper Mill Rd.

10th District

9/12/80 - D.Z.C. (Jung) GRANTED kennel;
DENIED SE and Variance

ASSIGNED FOR:

TUESDAY, AUGUST 25, 1981 at 10 a.m. and
THURSDAY, AUGUST 27, 1981, at 10 a.m.

cc: Robert J. Romadka, Esq.

Attorney for Petitioners

Ms. Mary Testudine

Petitioner

Salvatore & Margaret Testudine

Petitioners

Defenders of Animal Rights, Inc.

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J. E. Dyer

Zoning Office

W. Hammond

" " "

J. Jung

" " "

June Holmen, Secretary

6/9/81 - Mr. Hackett's daughter will be home from Saudi Arabia and, therefore, he would like to have the Testudine case changed to September if possible. Check weeks of 9/14 and 9/21.

9/15-17 - OK Romadka - OK Hession
9/22-24 - OK Hession

Mary Testudine, et al - #80-48-XA

2.

does not find that a need for the proposal has to be demonstrated by the Petitioner. On the contrary, Section 502 merely states that the Petitioner must show that his proposal will not be a detriment. The Board further finds that the proposal made by the Petitioner is significantly different than the commonly accepted design for a veterinary and kennel. For the first time in Baltimore County a substantially sized kennel would be built in which all the veterinary and animal keeping facilities would be totally enclosed. The proposed facility would contain indoor dog runs; the transfer of animals would take place only after pickup trucks delivering animals to the site were inside and the garage door for the facility closed; all waste and by-products from the veterinary operation, be they dead animals or waste from the animals, would be adequately handled so as not to impose a threat to the community's health and welfare. The proposed waste treatment system was approved by the Baltimore County Health Department.

The proposed building and its operation, as described by the Petitioners' expert witnesses, would be in the center of the 35 acre tract and would be 1200 feet from the nearest existing dwelling. The proposal includes maintaining ninety-six (96) percent of the 35 acre tract in its natural state, including large trees and woodlands, where the building would be constructed. Considerable testimony was given by expert real estate witnesses who, on the Petitioners' side, stated that the study of similar enclosed kennels in Montgomery County and Arlington, Virginia, found them to be remarkably compatible and assured a new image to the use of the term "kennel," if the proposal was built as planned.

Mr. Frederick Klaus testified that in a detailed study of property value, surrounding neighbors' properties would not be adversely affected by the proposed use. This testimony was rebutted by the Protestants' experts; Bernard Willeman, Palmer C. Williams, Jr. and Errol Kern. It is significant to the Board that these latter experts testified on the basis of existing and obviously abnormally designed kennels, rather than the new all enclosed kennel which the Petitioners propose. The only credible testimony on the issue of an enclosed kennel was presented by the Petitioners.

After all the testimony by the Petitioners and the Protestants, the case was best summarized by the Protestants' final witness. Mr. Kern testified that the new

modern enclosed kennel design would be a significant improvement over the existing types of kennels and their image, however, the bad image of kennels would carry over to affect real estate values in the neighborhood. In other words, a kennel is a kennel regardless of the actual attributes of the design. Obviously, this is a holdover from the days when kennels were, and to a large extent still are, obnoxious neighbors and truly not compatible with residential uses. Mr. Kern says that a kennel, even a kennel without flaws, is a detriment to the neighborhood and would adversely affect property values in the surrounding communities.

The Board accepts this proposition but is left with what seems to be an untenable conflict between the very existence of special exceptions in residentially oriented zones. If the Board were to hold that a kennel with no deficiencies was by definition a detriment as a neighbor, the Board would never grant a special exception for a kennel, even though the County Council in its wisdom specifically provided that it should do so. The Board believes that the County Council has charged this body to look for those flaws in the proposal which would specifically become a detriment to the general welfare envisioned by Section 502 of the Baltimore County Zoning Regulations. Having found no flaws in this proposal, the Board feels obligated to grant the petition. The County Council has said that kennels in residential and rural conservation zones are not per se detrimental to the community, otherwise, they would never have included them in the permitted list of special exceptions. It is also clear that the vehement protest which was displayed almost universally by the surrounding neighbors comes as the result of the typical kennel image of howling dogs and stray animals. The Board believes, considering the design of the proposed building and its location, the surrounding neighbors would not be in any way affected by the use as requested nor denied the enjoyment of their properties.

The Board believes the opposition of the Veterinarian Association of Baltimore County is based solely on the issue of competition rather than the technical flaws of the proposed use. In this regard, the two veterinarians, Dr. Michael Lynch and Dr. William Robert Shortall, testified primarily as to the lack of need for the services proposed by the Petitioners, which cannot be considered by the Board. When asked

directly whether the proposal would be a detriment to the community, they responded that generally the layout and proposal were extremely well-done and, with minor exceptions, saw no detriment.

The Board finds, after hearing the testimony presented, that the Petitioners have sustained their burden of proof and that the proposed kennel will not be detrimental to the neighborhood under Section 502 of the Baltimore County Zoning Regulations and, therefore, will grant the petition.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 15th day of December, 1981, by the County Board of Appeals, ORDERED that the special exception for a kennel, animal boarding place and veterinarian petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

1. The proposed improvements and uses shall be contained within the R.C. 2 portion of the subject property.
2. Compliance with the setback requirements and Section 421 of the Baltimore County Zoning Regulations regarding all construction including parking area, but excluding the entrance driveway.
3. The proposed veterinarian shall be completely enclosed within the main shelter building. No outdoor animal runs shall be permitted. Sound and odor proof construction shall be used for the veterinarian so that no animal odor or sound, other than normal sounds associated with large animals housed in the paddock area, may extend beyond the boundaries of the subject property. The sound level at the boundary from the veterinarian shall in no ten minute period exceed 65 decibels sound level.
4. The building exterior shall have the appearance of a professional building, be one-story in height, not exceed 70' x 150' in area, and have a 20' x 30' attached enclosed garage with electric doors.
5. The wildlife preserve area shall be posted "no trespassing" and closed to both the public and the members of the society.
6. The trees and shrubbery, along or within the north, east and south boundary lines, shall be maintained.

7. The horse paddock, including the small barn, shall not exceed 110' x 70' and shall be fenced to securely accommodate no more than four large domestic animals at any one time.
8. The Petitioners shall provide water and two sewage systems to be approved by the Department of Health.
9. Small animal wastes shall be washed into the sewer system and contained in tightly closed plastic until removal from the premises.
10. The facilities shall be manned 24 hours a day by no less than two employees.
11. There shall be no sleeping facilities provided for employees or volunteers.
12. All activities, uses and services, except for the care of animals, maintenance of facilities, telephone contacts, and animal pick up, shall be restricted to Mondays thru Saturdays, from 9 a.m. to 6 p.m., except for emergency services.
13. The facility shall be operated by a nonprofit organization only, and every such organization shall place into the land records of Baltimore County a restriction of nonprofit operation and notice that upon sale to a profit making organization the special exception hereby granted shall lapse.
14. The driveway and parking area shall comply with the Baltimore County Zoning Regulations.
15. Emergency electrical power facilities shall be provided so that in the event of a power failure, sound and odor proof features of the veterinarian shall be maintained.
16. All outdoor lighting shall be located and arranged so as to reflect the light away from adjacent properties, and no more than one dusk to dawn security light shall be installed.
17. No more than 100 animals, including puppies and kittens, shall be accommodated on the property at any time.
18. The animals picked up in the society's truck/van shall only be unloaded within the garage; the garage doors are to be securely closed during the unloading.
19. Veterinarian services shall only be provided for abandoned animals in the care of the society.
20. Compliance with Section 3 of the BOCA Code.

21. Only one identification sign, no larger than six square feet, shall be permitted.
22. A farm conservation plan shall be prepared by the Baltimore County Soil Conservation District, implemented as per the schedule established, and the subject property is to be maintained accordingly for the life of the proposed use.
23. There shall be no creation or burial of animals on the property. The carcasses of large animals shall be removed from the property immediately, and the carcasses of small animals shall be stored in a freezer until removed from the property.
24. All improvements must be completed and a vehicle purchased for animal pick up before approval of an occupancy permit.
25. A revised site plan shall be submitted indicating the uses of the proposed 70' x 150' building shown on the interior layout, incorporating all of the above restrictions, and approved by the Department of Health, the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John V. Murphy
John V. Murphy

Patricia Phipps
Patricia Phipps

No 17769

prb 7/23/76 9999-51529

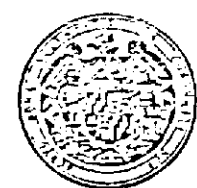


STATE OF MARYLAND
STATE DEPARTMENT OF ASSESSMENTS AND TAXATION A 52855
301 WEST PRESTON STREET
BALTIMORE, MARYLAND 21201

YOU ARE ADVISED THAT THE ARTICLES OF INCORPORATION
OF
DEFENDERS OF ANIMAL RIGHTS, INCORPORATED

HAVE BEEN RECEIVED AND APPROVED BY THE STATE DEPARTMENT OF ASSESSMENTS
AND TAXATION THIS 27th DAY OF
July, 1976, at 8:30 a.m. AND WILL BE RECORDED.

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND
BY: _____



STATE OF MARYLAND
STATE DEPARTMENT OF ASSESSMENTS AND TAXATION
301 WEST PRESTON STREET
BALTIMORE 21201

THIS IS TO CERTIFY THAT the within instrument is a true copy of the

ARTICLES OF INCORPORATION
OF
DEFENDERS OF ANIMAL RIGHTS, INCORPORATED

as approved and received for record by the State Department of Assessments
and Taxation of Maryland, July 27, 1976,
at 8:30 o'clock a.m.
AS WITNESS my hand and official Seal of the said Department at
Baltimore this 28th day of July, 1976.

Richard H. Keller
Charter Specialist, II

ARTICLES OF INCORPORATION

OF

DEFENDERS OF ANIMAL RIGHTS, INCORPORATED

THIS IS TO CERTIFY:

FIRST: That I, the subscriber, MARY JO KOVIC, whose post office address is P. O. Box 4786, Baltimore, Maryland 21211, being at least twenty-one years of age, do, under and by virtue of the General Laws of the State of Maryland authorizing the formation of corporations, form a non-stock corporation by the execution and filing of these Articles.

SECOND: That the name of the corporation (which is hereinafter called the "Corporation") is:

DEFENDERS OF ANIMAL RIGHTS, INCORPORATED.

THIRD: The Corporation is organized and shall be operated exclusively as a non-profit organization with the following specific purposes and powers:

(a) To seek the passage of legislation by local governments, the Maryland General Assembly or the United States Congress regarding the humane protection and control of animals and prevention of cruelty to animals; in particular to seek the passage of local, state or federal legislation banning the leg-hold trap; to take an active part in informing and educating the general public and enlisting their support regarding issues of animal cruelty and welfare and to voice an effective protest against all forms of animal cruelty at local, state or federal levels.

(b) To develop humane education programs; prepare a humane newsletter; coordination with other humane

groups, local, state and federal agencies relative to humane protection and control; investigate animal cruelty complaints and refer such complaints to proper law enforcement authorities; to rescue and place animals and engage in the humane disposal of injured and surplus animals;

(c) To have and to exercise to the extent necessary or desirable for the accomplishment of any of the aforesaid purposes and to the extent that they are not inconsistent with the non-profit purposes of the Corporation, any and all powers conferred upon corporations by the General Laws of the State of Maryland.

(d) Upon the dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation shall be distributed exclusively to an organization organized and operated exclusively for the prevention of cruelty to animals.

FOURTH: Anything herein contained to the contrary notwithstanding, the Corporation is organized and at all times hereafter shall be operated exclusively as a non-profit corporation, not organized for profit and no part of the net earnings of which shall inure to the benefit of any member, trustee or officer of the Corporation or any private person (except that reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes).

FIFTH: The post office address of the principal office in this state is P. O. Box 4786, Baltimore, Maryland 21211. The resident agent of the Corporation in this state is Anthony M. Carey, 1800 Mercantile Bank and Trust Building, 2 Hopkins Plaza, Baltimore, Maryland 21201. Said resident agent is a citizen of the State of Maryland and actually resides therein.

SIXTH: The Corporation is not authorized to issue any capital stock or any membership certificates of any type whatsoever.

SEVENTH: The Corporation shall have three (3) directors (which number may be increased to seven (7) pursuant to the By-Laws of the Corporation) and MARY JO KOVIC, JAMES R KOVIC and BARBARA DERSCH shall act as such until the first annual meeting or until their successors are duly chosen and qualified.

EIGHTH: The Corporation reserves the right from time to time to make any amendments to its charter which may now or hereafter be authorized by law, providing, however, that no amendment shall authorize any act contrary to the provisions of Item THIRD of these Articles of Incorporation.

IN WITNESS WHEREOF, I, the incorporator, have signed these Articles of Incorporation on the 3rd day of July, 1976 and acknowledge the same to be my act.

WITNESS:

Mary Jo Kovic
Mary Jo Kovic

-3-

Section 4. Special Meetings.

Special meetings of the Board of Directors may be called by the President or by any two directors. The time and place of special meetings shall be fixed by the person or persons making the call.

Section 5. Place of Meetings.

Subject to the provisions of Section 3 of this Article II, the Board of Directors may hold its regular and special meetings at such place or places within or without the State of Maryland as it may from time to time determine.

Section 6. Notice

Notice of the place, day and hour of every regular and special meeting shall be given to each director, either --

1. By notice in writing mailed to him or her postage prepaid not later than the second day before the day set for the meeting and addressed to him or her at his or her last known post office address according to the records of the Corporation;

2. By notice in writing delivered to him or her personally or left at his or her residence or usual place of business not later than the second day before the day fixed for the meeting; or

3. By telegraph or telephone not later than the day before the day set for the meeting.

No notice of the time, place or purposes of any meeting need be given to any director, who, in writing executed and filed with the records of the meeting either before or after the holding thereof, waives such notice. No notice of any adjourned meeting of the Board of Directors need be given.

Section 7. Quorum.

A majority of the Board of Directors shall be necessary and sufficient to constitute a quorum for the transaction of business at every meeting of the Board of Directors; but if at any meeting there be less than a quorum present, a majority of those present may adjourn the meeting from time to time, but not for a period of over ten days at any one time, without notice other than by announcement at the meeting until a quorum shall attend. At any such adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the meeting as originally notified. Except where otherwise provided in the Articles of Incorporation or these bylaws, the action of a majority of the directors present at a meeting at which a quorum is present shall be the action of the Board of Directors.

Section 8. Vacancies.

Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of directors may be filled by the affirmative vote of the majority of the remaining directors, but in no event less than the quorum of the Board of Directors. A director elected to fill the vacancy shall be elected for an indefinite period of time.

-2-

ARTICLES OF AMENDMENT

OF

DEFENDERS OF ANIMAL RIGHTS, INCORPORATED

Defenders of Animal Rights, Incorporated, a non-stock, non-profit Maryland corporation, hereby certifies as follows:

FIRST: The Articles of Incorporation of the Corporation are amended by deleting Article THIRD in its entirety and substituting in lieu thereof a new Article THIRD to read as follows:

"THIRD: The purposes for which the Corporation is formed are as follows:

(a) To receive and maintain a fund or funds of real or personal property, or both, and, subject to the restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income therefrom and the principal thereof exclusively for religious, charitable, scientific, literary or educational purposes or for the prevention of cruelty to children or animals either directly or by contributions to organizations that qualify as exempt organizations (other than organizations testing for public safety) under Section 501(c)(3) of the Internal Revenue Code and the Regulations thereunder as they now exist or as they may hereafter be amended. The specific purpose shall include, but not be limited to, the development of humane education programs; preparation and dissemination of a humane newsletter; coordination with other humane groups, local, state and federal agencies relative to humane protection and control; the investigation of animal cruelty complaints and reference of such complaints to proper law enforcement authorities; the rescue and placement of animals and humane disposal of injured and surplus animals.

(b) No part of the net earnings of the Corporation shall inure to the benefit of any member, trustee or individual, and no substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting, to

influence legislation and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

(c) Notwithstanding any other provision of these articles, the Corporation shall not conduct or carry on any activity or activities not permitted to be conducted or carried on by (1) an organization exempt under Section 501(c)(3) of the Internal Revenue Code and the Regulations thereunder as they now exist or as they may hereafter be amended or (2) an organization, contributions to which are deductible for Federal income, estate and gift tax purposes under Sections 170, 2055, 2105 and 2522 of the Internal Revenue Code of 1954 and the Regulations thereunder, as they now exist or as they may hereafter be amended.

(d) Upon the dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation shall be distributed exclusively to those organizations organized and operated exclusively for religious, charitable, scientific, literary or educational purposes or for the prevention of cruelty to children or animals (other than organizations testing for public safety) which qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

SECOND: The Board of Directors at a meeting held on February 24, 1977 approved unanimously the amendment to the Articles of Incorporation. The Corporation has no members.

IN WITNESS WHEREOF, Defenders of Animal Rights, Incorporated has caused this amendment to be executed on its behalf this day of February, 1977.

WITNESS: Defenders of Animal Rights, Incorporated

Patricia Morris By: *Mary Jo Kovic*
Patricia Morris, Secretary Mary Jo Kovic, President

-2-

so long as any one contract or single expenditure does not exceed \$3,000. Also, the president may appoint other members of the organization to assist him or her in the general management and direction of the activities of the Corporation.

Section 3. Vice-President.

In the absence of the president or in the event of his or her inability or refusal to act, the vice-president (or in the event there be more than one vice-president, the vice-presidents in order of their election) shall perform the duties of the president, and when so acting, shall have all the powers of, and be subject to, all the restrictions upon the president. Any vice-president shall perform such other duties as from time to time may be assigned to him or her by the president or the Board of Directors.

Section 4. Secretary.

The secretary shall keep the minutes of the meeting of the members, see that all notices are duly given for that purpose, see that all notices are given in accordance with the provisions of these bylaws or as required by law, be custodian of the corporate records, and in general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to him or her by the president or by the Board of Directors.

Section 5. Treasurer.

If required by the Board of Directors, the treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Board of Directors shall determine. He or she shall have charge and custody of, and be responsible for, all funds and securities of the Corporation; receive and give receipts of monies due the Corporation or payable to the Corporation from any source whatsoever, and deposit all such monies in the name of the Corporation in such banks, trust companies or other depositories as shall from time to time be selected by the Board of Directors; and in general perform all the duties incident to the office of treasurer and such other duties as from time to time may be assigned to him or her by the president or the Board of Directors.

Section 6. Assistant Officers.

The Board of Directors may elect one or more assistant vice-presidents, assistant secretaries, and/or assistant treasurers. Each such assistant officer shall hold office for such period and shall have such authority and perform such duties as the Board of Directors may prescribe.

Section 7. Compensation.

No officer, as such, shall either receive or be paid any compensation or payment, except by resolution of the Board of Directors and only as a reasonable allowance for actual expenditures or services actually made or rendered to or for the Corporation.

Section 8. Removal.

The Board of Directors shall have the power to set the term of any office and at any regular or special meeting to remove any officer with or without cause, and such action shall be conclusive on the officer so removed. The Board may authorize any officer to remove subordinate officers.

-4-

BYLAWS

OF

DEFENDERS OF ANIMAL RIGHTS, INCORPORATED

ARTICLE I. OFFICES

Section 1. Principal Office.

The principal office of the Corporation in the State of Maryland shall be located at P.O. Box 4786, Baltimore, Maryland 21211. The Corporation may have such other offices, either within or without the State of Maryland, as the Board of Directors may determine or as the affairs of the Corporation may require from time to time.

Section 2. Registered Office and Resident Agent.

The Corporation shall have and continuously maintain in the State of Maryland a registered office and a resident agent whose office is identical with such registered office. The registered office may be, but need not be, identical with the principal office in the State of Maryland, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II. DIRECTORS

Section 1. General Powers

The affairs of the Corporation shall be managed by its Board of Directors which will consist initially of those individuals named as such in the Articles of Incorporation. In addition to the powers expressly conferred upon them by these bylaws, the Board of Directors may exercise all of the powers of the Corporation. From time to time, the Board of Directors may delegate to officers of the Corporation such powers and duties as it may see fit in addition to those specifically provided in these bylaws.

Section 2. Number, Tenure and Qualification.

The number of directors shall be three subject to increase as hereinafter provided. The directors need not be residents of the State of Maryland. Directors shall be elected by a majority vote of the Board of Directors in attendance at a board meeting in which a quorum is present. Each director shall serve for an indefinite period of time or he or she shall die or resign, or shall be removed. The number of directors fixed by the charter or by these bylaws may, by vote of a majority of the entire Board of Directors, be increased to not exceeding fifteen. The Board of Directors shall keep minutes of its meetings and a full account of its transactions.

Section 3. Regular Meetings.

A regular annual meeting of the Board of Directors shall be held each year on a date and in a place to be determined by the Board of Directors. Other regular meetings of the Board of Directors shall be held on such date and at such places as may be designated from time to time by the President or by the Board of Directors.

Section 9. Vacancies.

The Board of Directors at any regular or special meeting shall have the power to fill a vacancy occurring in any office for such term as it shall prescribe.

ARTICLE IV. CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. Contracts.

The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, Etc.

All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the Corporation, and in such manner as from time to time shall be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments for an amount in excess of \$1000 shall be signed by the treasurer or an assistant-treasurer and countersigned by the president or a vice-president of the Corporation.

Section 3. Deposits.

All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

Section 4. Gifts.

The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purposes of the Corporation.

ARTICLE V. SUNDRY PROVISIONS

Section 1. Books and Records.

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors. All books and records of the Corporation may be inspected by any director or his agent or attorney, for any proper purpose at any reasonable time.

Section 2. Fiscal Year.

The fiscal year of the Corporation shall be the calendar year unless otherwise provided by the Board of Directors.

Section 3. Seal.

The Seal of the Corporation shall consist of the signature of a member of the Board of Directors unless otherwise provided by the Board of Directors.

-5-

These bylaws may be altered, amended or repealed and new bylaws may be adopted, by a majority of the entire Board of Directors at any regular or special meeting, the notice of which shall set forth the terms of the proposed amendments.

Section 1. Protection Against Legal Actions

The Corporation may, pursuant to resolution of the Board of Directors, indemnify any of its "corporate representatives" as that term is defined in Section 2-418 of the Corporations and Associations article of the Annotated Code of Maryland to the full extent authorized by said section as from time to time amended and in effect.

WZ, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County. Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

-5-

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Tesrudine, et al under Contract of Sale to Defendants of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County. Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mery Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

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OWNER:

William F. Voseley

Margaret Lally

Richard W. Treeca

Fluence C. Treeca

John W. Morris

Frederick Ann McCarroll

ADDRESS:

2912 York Manor Rd, Phoenix Md 200

2 Point Ct. Potomac Md 21131

2915 York Manor Rd, Potomac Md

2915 York Manor Rd, Potomac Md
51131

6 DOE CT PHOENIX, MD 21131

14405 Old York Rd., Phoenix Md 21131

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
Thomas W. Greene	200 York Rd Phoenix, AZ 21131
Robert E. Greene	Old York Rd Phoenix, AZ 21131
Charles E. Greene	300 Phoenix Rd 21131

April 1, 1979. The undersigned are duly sworn and subscribed parties to the Petition for the Reconsideration of Baltimore County, Maryland, which was recently opposed to zoning Petition No. 80-48-XA as filed with the Planning Commission of Baltimore County for a Special Use Zoning District and a Special Use Zoning Plan, a Veterinary Hospital and Animal Sanctuary on that property owned by Mary Ann Gorman, Special Value Member of Sale to Defenders of Animals, Inc., and the undersigned are further opposed to the said zoning application for variances from the property line setbacks and setbacks of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because for other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause noise pollution and traffic congestion and would serve as a precedent upon which additional commercial zoning applications could be predicated.

OWNER	ADDRESS
Nellie R. Houston	14300 Robeaste Rd
Jeanette O. Houston	14300 Robeaste Rd
James W. F. Calt	14308 Robeaste Rd
William A. Scott	14308 Robeaste Rd
Jacqueline B. Pfeiffer	14303 Robeaste Rd 21138
C. Byrd Pfeiffer	14307 Robeaste Rd 21131
Sondra Tokarz	14305 Robeaste Rd
Robert E. Tokarz	14305 Robeaste Rd 2113
Myronia O. Tokarz	14307 Robeaste Rd Phoenix 21131
Jeanne O. Tokarz	14307 Robeaste Rd 2113

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>Harry R. Reilly</u>	<u>1818 Canoll Rd. Parkers Lake</u>
<u>R. Lawrence Schaub</u>	<u>13713 Maude Mill Rd 21131</u>
<u>John Bygones</u>	<u>3419 Sweet Air Rd</u>
_____	_____
_____	_____
_____	_____
_____	_____

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>W. L. Quazant</u>	<u>1300 Dream Estate Rd. Pikesville</u>
<u>Ira Hollenstern</u>	<u>Baldwin Md, 21013</u>
<u>Lucius Dyer</u>	<u>15014 La Vale Rd. Huntin</u>
<u>Robert N. Dyer</u>	<u>15014 La Vale Rd. Huntin 21111</u>
_____	_____
_____	_____
_____	_____
_____	_____

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently proposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause pollution and contamination and the granting of said application would cause traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>Harvey J. Throck</u>	<u>2912 Paper Mill Rd. Pikesville</u>
<u>James E. Throck</u>	<u>2912 Paper Mill Rd. Pikesville</u>
<u>John D. Throck</u>	<u>2912 Paper Mill Rd. Pikesville</u>
<u>Virginia J. Throck</u>	<u>2915 Paper Mill Rd. Pikesville 21131</u>
<u>W. E. Brown</u>	<u>2931 Paper Mill Rd. Pikesville 21131</u>
<u>Clarence J. Butler</u>	<u>2925 Paper Mill Rd. Pikesville 21131</u>
<u>Arthur J. Butler</u>	<u>2915 Paper Mill Rd. Pikesville 21131</u>
<u>Joseph E. Brownell</u>	<u>2915 Paper Mill Rd. Pikesville 21131</u>
<u>Elizabeth Brownell</u>	<u>2915 Paper Mill Rd. Pikesville 21131</u>

PETITION

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OWNER:	ADDRESS:
<u>Gregory + Denise Hall</u>	<u>2749 Anne Arundel Rd. Baltimore, MD 21013</u>
<u>Allen</u>	<u>4333 Calver Rd. Pikesville 21131</u>
<u>James E. Throck</u>	<u>13815 Pikesville Rd. Pikesville 21131</u>
<u>Margaret March</u>	<u>14676 Manor Rd. Pikesville 21131</u>
<u>Dr. Philip S. Norman</u>	<u>13500 Manor Rd. Pikesville 21131</u>
<u>W. E. Brown</u>	<u>14315 Jannett Rd. Pikesville 21131</u>

PETITION

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OWNER:	ADDRESS:
<u>Joseph M. Eddy</u>	<u>3002 Paper Mill Rd.</u>
<u>John M. Eddy</u>	<u>3002 Paper Mill Rd.</u>
<u>Carl Miller</u>	<u>14331 Old York Rd.</u>
<u>Robert Linker</u>	<u>14529 Old York Rd.</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>Charles D. Leggett</u>	<u>13805 Pikesville Rd. Pikesville 21131</u>
<u>Patricia H. McHale</u>	<u>13915 Pikesville Rd. Pikesville 21131</u>
<u>W. E. Brown</u>	<u>White Hall 21161</u>
<u>Mary Mathews</u>	<u>4322 Carroll Rd. Pikesville 21131</u>
<u>Phyllis L. Chascha</u>	<u>1 Prairie Ct. Pikesville Md 21131</u>
<u>James D. Hunter</u>	<u>5235 Hyatt Rd. Pikesville 21131</u>

PETITION

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OWNER:	ADDRESS:
<u>David L. Throck</u>	<u>14201 SAGEWOOD RD.</u>
<u>James E. Throck</u>	<u>14211 SAGEWOOD RD.</u>
<u>Robert L. Throck</u>	<u>14211 SAGEWOOD RD.</u>
<u>John M. Eddy</u>	<u>2808 York Manor Rd.</u>
<u>John M. Eddy</u>	<u>2808 York Manor Rd.</u>
<u>James E. Throck</u>	<u>2808 York Manor Rd.</u>

(3) offered the list of returners. As a member of D.A.R. we are aware of the professional way Defenders of Animal Rights collect all its activities. The need for the kennel is great. Other facilities do not meet my high standards, as we do not have confidence in them. We need a facility, we are surely looking for a facility, we are surely looking for a facility, we are surely looking for a facility. We will be a positive influence, working to better the lives of animal and people in Baltimore County. Kindest regards, and my best love to you. Mrs. & Mr. Edmund Green

③ in this particular group and I share it in a concrete way every month. Every month I send a donation to D.A.R. for the shelter/wildlife sanctuary fund. I am in a low financial bracket, but this shelter and wildlife sanctuary is a very worthwhile cause. I hope you will agree with me and grant us the right to construct our animal shelter and wildlife sanctuary. We would appreciate and be thankful for your assistance. Thank you for your assistance. I hope you will be a positive influence, working to better the lives of animal and people in Baltimore County. Kindest regards, and my best love to you. Mrs. & Mr. Edmund Green

Defenders of Animal Rights - we should check to have money for this humane work. Please ladies, I am sure that in the vicinity of the shelter, it is such a good location and animal and wildlife need a place so desperately in this area. Thank you for listening - (Sfr) Edna R. Plender

RECEIVED BALTIMORE COUNTY APR 28 9 47 AM '81 COUNTY BOARD OF APPEALS BY: [initials]

9104 Niles Road, Baltimore, Md. 21234 April 24, 1981 (Case 80-48-XA)

Dear Sir: I am writing to request that you grant the Defenders of Animal Rights, Inc. the right to construct their planned animal shelter and wildlife sanctuary. I have several reasons and will list these below: 1. It will not be a threat to health and safety for the community because the shelter and sanctuary will be away from the public in a wooded area of 8.5 acres. 2. The dog runs will be indoors so there will not be a problem with noise.

RECEIVED BALTIMORE COUNTY APR 28 9 47 AM '81 COUNTY BOARD OF APPEALS BY: [initials]

Mr. Walter A. Reiter, Jr. Chairman, Board of Appeals

Dear Sir: This letter concerns Case # 80-48-XA. I am urging the Board of Appeals to approve the request for an animal shelter on this property. Because of the average I cannot see how health, public safety or property values would be endangered. The Defenders of Animal Rights, Inc. is a responsible group and can be depended upon to run a professional facility. Baltimore County would certainly benefit in having some help with its animal control efforts.

Sincerely, Helen J. Tinsley

Mrs. Leonard C. Tinsley 924 Meldon Road, Baltimore, Maryland 21239

April 26, 1981

Mr. Walter A. Reiter, Jr., Chairman Board of Appeals Old Court House, Third Floor Pennsylvania and Washington Avenues Towson, Maryland 21204 Ref: case no. 80-48-XA

Dear Mr. Reiter, As a member of "The Defenders of Animal Rights" I have become greatly disturbed about the appeal made against the plans for the new shelter/wildlife sanctuary that this fine and humane organization is planning to build. I understand that the appeal has been made by nearby landowners. However, the concerns raised by these citizens is not necessary. For one, the shelter will be secluded, and it will only have indoor dog runs. This will eliminate any noise which these neighbors might be concerned about. This is the only available sight for this shelter with the funds that the organization has. It is being constructed with the advice of several professionals and veterinarians. It disturbs me a great deal to know that a few citizens may ruin the plans of this kennel and wildlife sanctuary. I have looked into the situation a great deal, and the concerns of these citizens is unnecessary. In these troubled times, I feel we must all support humanitarian efforts. The Defenders of Animal Rights have been great leaders in their field, and their efforts will be severely hampered if this shelter/wildlife sanctuary is not constructed.

I beg you to support legislation to build this sanctuary. I urge you not to succumb, but for the countless number of animals that will benefit from its creation. Thank you for any help you can give in this matter.

Sincerely, Caroline A. Griffin

Miss Caroline Griffin 725 Hammerman House Loyola College 4601 North Charles Street Baltimore, Maryland 21218 April 23, 1981

all its activities, in consultation with veterinarians + other professionals. It is evident that their shelter will provide a sanctuary + comforting environment to the animals who will be afforded the best of veterinary care. I am sure that in the vicinity of the shelter, it is such a good location and animal and wildlife need a place so desperately in this area. Thank you for listening - (Sfr) Edna R. Plender

Phase help these conscientious, ever-optimistic young people to contribute to a more humane society! Most sincerely, Carol Link

Mrs. L. W. Frederick 11000 Niles Road, Baltimore, Md. 21234 Case # 80-48-XA

New New Facts: I hope you are an animal lover. As a member of Defenders of Animal Rights, Inc. I was outraged when the Park Co. government gave us permission to build an animal shelter in a park. My first concern was the safety of the shelter. I have several reasons and will list these below: 1. It will not be a threat to health and safety for the community because the shelter and sanctuary will be away from the public in a wooded area of 8.5 acres. 2. The dog runs will be indoors so there will not be a problem with noise.

White House Backs Proposal to Exploit Some U.S. Forests

The House administration endorsed legislation yesterday that could open 13.4 million acres of federal forest to mining, logging and other development, providing a cry of protest from wildlife conservationists. Richard E. Long, deputy secretary of agriculture, told a Senate subcommittee yesterday that the bill would allow the development of millions of acres of federal forest land. Long said the bill would allow the development of millions of acres of federal forest land. Long said the bill would allow the development of millions of acres of federal forest land.

CASE # 80-48-XA

4/27/81

Dear Mr. Reiter, I am writing to support the proposed shelter/wildlife sanctuary. You are no doubt aware of the desperate need for a reliable shelter with the advantages & accessibility this project would provide. This will very probably be the last opportunity for such a facility. The city & counties are not making any progress in providing this much needed service. As a member of Defenders of Animal Rights, Inc. I am writing to express our support for the building of the above mentioned shelter. We feel that the organization has done and will do everything possible to create a shelter that would be an asset to the community.

Mr. Walter A. Reiter, Jr. Chairman, Board of Appeals Towson, Maryland

Ref: case no. 80-48-XA

Dear Mr. Reiter: I respectfully request your consideration towards approving the request by the Defenders of Animal Rights to build an animal sanctuary on the land they have purchased. The advantages of using this parcel of land in this manner are tremendous. First, over thirty acres will remain in its present state and not fall victim to developers. As the attached clipping states, the US is in the process of authorizing the destruction of millions of acres of forests and wildlife sanctuaries. We, in Maryland, therefore, should try to save all the forestland possible. Second, I've known the Kovics for many years and have nothing but praise and admiration for the outstanding work they are performing. They would be an asset to any community and can be trusted not to affect the lifestyles of the existing residents. Finally, Mr. Reiter, the very concept of providing a refuge for the unwanted and suffering animals is tremendous. Whenever I see an animal I subconsciously remark, 'There but for the grace of God go I!' We should be proud and appreciative that the Kovics are willing to dedicate their lives to this important mission. Thank you, Mr. Reiter, for reading this letter and God bless you.

encl: 1

Very sincerely, George J. Gault

5063 Landing Road, Baltimore, Maryland April 18, 1981

1628 Miss A. Marguerite Zuck 251, Nicodemus Road, Reisterstown, Md. 21136 April 23, 1981

Mr. Walter A. Reiter, Jr., Chairman Board of Appeals Old Court House Towson, Maryland 21204

In Re: Case No. 80-48-XA

Dear Mr. Reiter: As a citizen of Baltimore County, I heartily support the Defenders of Animal Rights animal shelter to be built on 35.8 acres on the old York Road. It seems to me an ideal spot as it is secluded and since the plans provide for indoor kennels I see no disturbance to the neighbors. With the County growing as it is we need an animal shelter and a wild life sanctuary, which 30 of these acres will be. I ask that you lend your whole hearted support for permission to build this facility. Thank you very much for your consideration. Sincerely yours, A. Marguerite Zuck A. Marguerite Zuck

AMZ:jm

OWNER:	ADDRESS:
<u>John Chabojan</u>	<u>15701 Ct. Howard 448</u> <u>21727</u>
<u>Robert Rytch</u>	<u>51414 Ct. Patricia Wynn</u>
<u>Paul M. B. Brough</u>	<u>14120 Sycamore Rd</u>
<u>LT Mc Gowan</u>	<u>14120 Sycamore Rd</u>
<u>Donna C. Williams</u>	<u>4200 Sycamore Rd</u>
<u>Paul E. Long</u>	<u>4111 Sycamore Rd</u>
<u>Cheryl S. Long</u>	<u>4111 Sycamore Rd</u>

OWNER:	ADDRESS:
Gregory, Joseph	Marion Rd. Albany, Ind.
Charles E. Green	214 Davis Hall, 610 Beacon, Wash.
John & Co. Co.	2207 W. Commercial, White Hall, Md.
Angelo J. De Marco	5930 Poplarville Rd. 2071
John A. Bando	2700 McComas Rd. White Hall, Md.
James W. Bando	4200 Town Center Dr. ^{White Hall} Md.
Alfred J. Bando	2000 1st St. Wash.

OWNER:	ADDRESS:
Lucy Prior	2909 York Manor Rd.
Gail Vesely	2912 York Manor Rd.
Paula Liberty	2714 York Manor Rd.
Anthony Liberty	2911 York Manor Rd.
John A. Sully	2 Pearl St.
Michael J. Morris	2915 York Manor Rd.
Robert R. Bickel	2909 York Manor Road

OWNER:	ADDRESS:
Dear Post	44 Palmer Court
William H. Clark	445 Grandview Avenue
John J. Banta	1222 Maple Hill Rd. S.W.
John Clark	1024 W. 10th St. S.W.
Bureau Street	2226 Grandview Rd. S.W.
Ray Ray	4236 1st St. S.W. Tacoma
James H. Hays	1501 1st St. S.W. Tacoma

[illegible][illegible]

OWNER:	ADDRESS:
James Buchanan	University Heights
J. White	North Lane
James Buchanan	1300 E. 12th St.
William Buchanan	2015 York St. N.E.
Ala. Bryant	519 Graham St. N.E.
Betty L. Smith	Phasing N.E. 4011 Denver Ave. S.E. 2113
George Tucker	Lincoln Road 2012 4019 Lincoln Road

OWNER:	ADDRESS:
John A. Smith	1000 Main St. New York, N.Y.
James H. Brown	1234 Elm St. Boston, Mass.
Robert E. Johnson	5678 Oak St. Chicago, Ill.
Samuel D. Wilson	9101 Pine St. Philadelphia, Pa.
Richard A. Miller	2345 Cedar St. St. Louis, Mo.
Charles F. Davis	3456 Birch St. Portland, Me.
Edward G. Taylor	4567 Spruce St. Seattle, Wash.
Franklin B. White	5678 Fir St. Denver, Colo.
Harold C. Green	6789 Willow St. San Francisco, Cal.
William D. Black	7890 Ash St. Los Angeles, Cal.
George E. Hall	8901 Hickory St. San Diego, Cal.
Henry F. Young	9012 Magnolia St. San Jose, Cal.
Arthur G. King	0123 Sycamore St. San Antonio, Tex.
Donald H. Scott	1234 Dogwood St. Austin, Tex.
Paul I. Adams	2345 Redwood St. Dallas, Tex.
John J. Baker	3456 Cypress St. Houston, Tex.
Robert K. Nelson	4567 Juniper St. Fort Worth, Tex.
Thomas L. Carter	5678 Cedar St. El Paso, Tex.
Charles M. Evans	6789 Pine St. Phoenix, Ariz.
Edward N. Foster	7890 Oak St. Tucson, Ariz.
Frank O. Gibson	8901 Elm St. Albuquerque, N.M.
Harold P. Hill	9012 Birch St. Santa Fe, N.M.
William Q. Jones	0123 Spruce St. Las Vegas, Nev.
George R. King	1234 Fir St. Reno, Nev.
Henry S. Lee	2345 Willow St. Sacramento, Cal.
Arthur T. Miller	3456 Ash St. San Francisco, Cal.
Donald U. Moore	4567 Hickory St. San Jose, Cal.
Paul V. Parker	5678 Magnolia St. San Diego, Cal.
John W. Roberts	6789 Dogwood St. San Antonio, Tex.
Robert X. Scott	7890 Redwood St. Dallas, Tex.
Thomas Y. Taylor	8901 Cypress St. Houston, Tex.
Charles Z. Turner	9012 Juniper St. Fort Worth, Tex.
Edward A. White	0123 Cedar St. El Paso, Tex.
Frank B. Black	1234 Pine St. Phoenix, Ariz.
Harold C. Green	2345 Oak St. Tucson, Ariz.
William D. Hall	3456 Elm St. Albuquerque, N.M.
George E. King	4567 Birch St. Santa Fe, N.M.
Henry F. Lee	5678 Spruce St. Las Vegas, Nev.
Arthur G. Miller	6789 Fir St. Reno, Nev.
Donald H. Moore	7890 Willow St. Sacramento, Cal.
Paul I. Parker	8901 Ash St. San Francisco, Cal.
John J. Roberts	9012 Hickory St. San Jose, Cal.
Robert K. Scott	0123 Magnolia St. San Diego, Cal.
Thomas L. Taylor	1234 Dogwood St. San Antonio, Tex.
Charles M. Turner	2345 Redwood St. Dallas, Tex.
Edward N. White	3456 Cypress St. Houston, Tex.
Frank O. Black	4567 Juniper St. Fort Worth, Tex.
Harold P. Green	5678 Cedar St. El Paso, Tex.
William Q. Hall	6789 Pine St. Phoenix, Ariz.
George R. King	7890 Oak St. Tucson, Ariz.
Henry S. Lee	8901 Elm St. Albuquerque, N.M.
Arthur T. Miller	9012 Birch St. Santa Fe, N.M.
Donald U. Moore	0123 Spruce St. Las Vegas, Nev.
Paul V. Parker	1234 Fir St. Reno, Nev.
John W. Roberts	2345 Willow St. Sacramento, Cal.
Robert X. Scott	3456 Ash St. San Francisco, Cal.
Thomas Y. Taylor	4567 Hickory St. San Jose, Cal.
Charles Z. Turner	5678 Magnolia St. San Diego, Cal.
Edward A. White	6789 Dogwood St. San Antonio, Tex.
Frank B. Black	7890 Redwood St. Dallas, Tex.
Harold C. Green	8901 Cypress St. Houston, Tex.
William D. Hall	9012 Juniper St. Fort Worth, Tex.
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Arthur T. Miller	5678 Cedar St. El Paso, Tex.
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Robert X. Scott	9012 Birch St. Santa Fe, N.M.
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George R. King	9012 Hickory St. San Jose, Cal.
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Robert X. Scott	5678 Cedar St. El Paso, Tex.
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Edward A. White	8901 Elm St. Albuquerque, N.M.
Frank B. Black	9012 Birch St. Santa Fe, N.M.
Harold C. Green	0123 Spruce St. Las Vegas, Nev.
William D. Hall	1234 Fir St. Reno, Nev.
George E. King	2345 Willow St. Sacramento, Cal.
Henry F. Lee	3456 Ash St. San Francisco, Cal.
Arthur G. Miller	4567 Hickory St. San Jose, Cal.
Donald H. Moore	5678 Magnolia St. San Diego, Cal.
Paul I. Parker	

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>Sal M. Mose</u>	<u>12510 Manor Road</u>
<u>Robert A. Mose</u>	<u>1220 Manor Rd</u>
<u>Elizabeth R. Bonnet</u>	<u>14009 Glen View Rd.</u>
<u>Judy Cook</u>	<u>1 Blairbrook Dr.</u>
<u>Betha Taylor</u>	<u>4205 Grace Hill Rd.</u>
<u>Joyce Carby</u>	<u>4205 Magnolia Rd.</u>
<u>Sherry Root</u>	<u>20000 Cherry Lane 21131</u>

PETITION

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OWNER:	ADDRESS:
<u>John K. Polup</u>	<u>Stockton Rd.</u>
<u>Charlotte J. Mallett</u>	<u>Baldwin, Md.</u>
<u>Elton M. Marshall</u>	<u>Manassas Rd.</u>
<u>Richard Adams</u>	<u>2101 Blue Mount Rd. Manassas</u>
<u>Robert Williams</u>	<u>12014 Greenbank Rd.</u>
<u>Julia Green</u>	<u>14312 Phoenix Rd.</u>
<u>Simon McHenry</u>	<u>13002 Phoenix Rd. Phoenix</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>George J. Jorgensen</u>	<u>12001 Jorgensen Rd. Phoenix</u>
<u>John H. Ralston</u>	<u>2100 Jorgensen Rd. Phoenix</u>
<u>John E. Camp</u>	<u>3 STAS COURT 21131</u>
<u>W. P. Schering</u>	<u>20000 Starling Rd. Phoenix</u>
<u>Lo Carter</u>	<u>10000 Starling Rd. Phoenix</u>
<u>John P. Carter</u>	<u>10000 Starling Rd. Phoenix</u>
<u>Bob Farnell</u>	<u>13036 Long Green Rd. Phoenix</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>J. E. Peterson</u>	<u>4404 Cloud Rd. Phoenix</u>
<u>J. L. Lora</u>	<u>14012 Top Road Rd. Phoenix</u>
<u>Muhammad Anwar</u>	<u>2906 Paper Mill Road Phoenix</u>
<u>W. J. Wideman</u>	<u>3100 Paper Mill Rd Phoenix</u>
<u>Sam L. Lutzman</u>	<u>3100 Paper Mill Rd Phoenix</u>
<u>Reggie McCormick</u>	<u>3010 Paper Mill Rd Phoenix</u>
<u>Ralph V. Taylor</u>	<u>Rt 1 Box 300 Phoenix</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>William R. P. Doney</u>	<u>14123 Manor Rd</u>
<u>D. K. Berger</u>	<u>19 Inventive Dr. Phoenix</u>
<u>Gerri C. Porter</u>	<u>12007 Delaney Valley Rd.</u>
<u>W. C. Burleigh</u>	<u>13119 Mandel Hill Rd. Phoenix</u>
<u>Caroline C. Burleigh</u>	<u>13119 Mandel Hill Rd. Phoenix</u>
<u>John E. Liley</u>	<u>15336 Manor Rd. Phoenix</u>
<u>Leslie Fumble</u>	<u>2907 Stockton Park Phoenix</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>Patricia R. Davis</u>	<u>771-4223 14820 Old York Rd. Phoenix, Md. 21131</u>
<u>M. Frances Swan</u>	<u>14920 Old York Rd. 472- Phoenix, Md. 21131</u>
<u>Donald W. King</u>	<u>13410 JARRETTVILLE Rd. Phoenix, Md. 21131</u>
<u>Joan E. King</u>	<u>13410 JARRETTVILLE Rd. Phoenix, Md. 21131</u>
<u>Stephen M. Loe</u>	<u>29th Millers Rd. Phoenix, Md. 21131</u>
<u>Elaine E. Tripod</u>	<u>1 Hay Court Phoenix, Md. 21131</u>
<u>Loth Moore</u>	<u>3102 Paper Mill Rd. Phoenix, Md. 21131</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>John H. Madsen</u>	<u>3600 12th Ave. Rd. Phoenix</u>
<u>Arthur J. Madore</u>	<u>3901 Starling Rd. Phoenix 21111</u>
<u>Douglas Brannan</u>	<u>2420 Starling Rd. Phoenix</u>
<u>M. M. Mante</u>	<u>2433 Starling Rd. Phoenix</u>
<u>Robert B. Amick</u>	<u>3009 Morningstar Ct. Phoenix</u>
<u>Shirley J. Barlow</u>	<u>14620 Manor Rd. Phoenix, Md. 21131</u>
<u>Barbara J. Brown</u>	<u>3700 Starling Rd. Phoenix</u>

PETITION

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
<u>Robert C. McClelland</u>	<u>14200 Logwood Rd. Phoenix</u>
<u>Joan E. King</u>	<u>12000 Darnestown Rd</u>
<u>W. J. Green</u>	<u>14000 Darnestown Rd</u>
<u>Ernest L. Brown</u>	<u>2811 Stockton Road</u>
<u>Maryanna B. Grubbs</u>	<u>13606 Darnestown Rd.</u>
<u>Robert E. Taylor</u>	<u>14005 Darnestown Rd. Phoenix</u>
<u>Ross Mary Fodine</u>	<u>4310 Crab Orchard Rd.</u>

WE, the undersigned property owner, and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
Ann Nelson	25tag Ct. 21131
C. Koska	414 Starsbury Mill Rd 21131
E. L. Bitts	Massachusetts Ave. B. Box 21137
Norman B. Norman	13501 Mann Rd. Bullwinn, Md. 21013
Lis Penders	13801 Mann Rd. Bullwinn, Md. 21013
H. Albright	3640 Starsbury Mill Rd 21131
Mr. Rogers	34 Summergreen Dr. 21131

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarianum, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:	
Phyllis Dyflick	13408 Mann Rd. Bolsham W.	2/10/8
Willie A. Ayer	13906 Searcybrook Rd. Phoenix	2/10/1
Donna Boyer	13703 Aliante Dr. Bredem	2/10/3
Mrs. W. L. Little	12425 Garrettsville Pike & Howard	
Rudolf A.	14926 Old Ft. Rd. Phoenix, Ariz.	
Charles B. Anderson	16113 Menden Rd. Meriden	2/11
H. K. Bailey	4411 Carroll Mann Road.	

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER: Sally J. Grady 14238 Baltimore Rd. Baltimore
Charles Duill 3069 Paper Mill Rd.
Joan Morgan 2114 Mauck Rd 21111
John Nash Strawn Md Rd
Carolyn P. Hall Mon ktn Md 21111
3822 Marcus Ct
Mont ktn, Md 21111
C. Deane 423 ALABAMA Co
Towson Md 21204
C. Branson 13610 Glenbrook Rd
Baltimore Md 21013

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
Inez M. Price	Phoenix, Ar.
J. O. Baughman	4304 Oak Orchard Glenview
B. Dawson	Suffolk, Tenn. Tellico, Ind.
H. Rice	Phoenix, Ind.
J. G. Gable	Glenview, Ind.
H. Huber	3809 Dunnington Glenview
P. Lot	13600 Blenheim Rd.-N.

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testuine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER: CHARLES BUSSE MD. 21028
CAROL WESTERLUND 3416 L300HOLME DR. JACRETSBURG
DYSON EHLERT SHEPPER DR. MONTBARK MD.
LINDA ZINKHORN 2 ANSORI COURT BALDWIN RD.
LEWIS H. ZINKHORN 4499 OLD YORK RD.
PAT AGEE 14717 OLD YORK RD
DIANE MOBER 4004 GREEN GLADE RD.
4403 OLD 7 AM RD.

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
Cynthia R. Ruffen	10 Newark Drive, Westfield, MA 01093
William J. Jones	2 Green Hill Rd, Westfield, MA 01093
John P. McQuinn	5010 Long Street, Westfield, MA 01093
Bud Jones	4456 Sweet Air Rd.
Doris D. Baker	2 Elmington St., Westfield, MA 01093
Carl D. Baker	2 Elmington St., Westfield, MA 01093
Ilse Johnson	2348 Paper Mill Rd.

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
Carl Loran	J. A. Reese Rd. Mankton
Anne Rappela	1406 Manor Rd. Phoenix
Betsy Lehmann	4104 Green Glade Rd. Phoenix
Betty Bervans	13801 Manor Rd. Baldwin
Edgar Ponty	1378 North Bend Rd. Junction
Wayne Walter	Highway 1st Phoenix
Sherry C. Scout	3204 Tupper Spring Rd.

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER:	ADDRESS:
Barbara C. Gilbert	2006 Stockton Pl. (The corner)
James J. B. Lab	Phoenix, AZ
Susan C. Frost	Phoenix, AZ
John H. Meyer	Phoenix, AZ
John W. B. B. B.	Phoenix, AZ
David L. Gilbert	2006 Stockton Pl.
Barbara C. Gilbert	2006 Stockton Pl.

Item #220 (1978-1979)
Property Owner: Mary Testudine, et al
Page 2
June 12, 1979

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages 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.

Future drainage and utility easements are required through this property.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Any storm drains required in connection with further development of this property, are to be designed and constructed in accordance with Baltimore County Standards.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-11, as amended, indicate "No Planned Service" in the area.

Very truly yours,

William N. Diver, P.E.
WILLIAM N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:rs

cc: J. Trenner
D. Grise
J. Somers

EE-SW Key Sheet
82 & 83 NE 7, 8 & 9 Pos. Sheets
NE 21 B & C Topo
35 Tax Map

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3711
John D. Seyffert
DIRECTOR

July 13, 1979

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

Dear Mr. Hammond:

Comments on Item #220, Zoning Advisory Committee Meeting, April 24, 1979, are as follows:

Property Owner: Mary Testudine, et al
Location: E/S Old York Road 1900' N. Paper Mill Road
Existing Zoning: RC-2 and RC-4
Proposed Zoning: Special Exception for a kennel, animal shelter, veterinarian and cemetery (IDCA 79-14-X) and Variance to permit setbacks of 76' and 131' in lieu of the required 200' for an animal boarding place
Acres: 35.811
District: 10th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550
STEPHEN E. COLLINS
DIRECTOR

September 17, 1979

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

Item No. 220 - ZAC - April 24, 1979
Property Owner: Mary Testudine, et al
Location: E/S Old York Road. 1900' N Paper Mill Rd.
Existing Zoning: R.C. 2 & R.C. 4
Proposed Zoning: Special Exception for a kennel, animal shelter, veterinarian and cemetery (IDCA 79-14-X) and Variance to permit setbacks of 76' in lieu of the required 200' for an animal boarding place.

Acres: 35.81
District: 10th

Dear Mr. Hammond:

We are revising our comments per a letter from Mr. Robert J. Romadka dated September 12, 1979.

This site for the Defenders of Animal Rights, Inc. can be expected to generate 200 to 300 trips per day.

Should this Special Exception be granted, a widening of the driveway to 20' wide and the entrance to 24' wide will be required.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/hmd

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(GEOGRAPHIC FEDERAL BUILDING)
ESSEX, MARYLAND 21221

September 12, 1979

MURDOCK 6-9274

Mr. Stephen E. Weber
Mr. Michael S. Flanigan
Department of Traffic Engineering
County Office Building
Towson, Maryland 21204

Re: Item No. 220
Petitioners - Mary Testudine, et al
Contract Purchaser - Defenders of Animal Rights, Inc.

Gentlemen:

Per our telephone conversation of this week regarding the use of the property as captioned above, I wish to advise you of the following:

That the Contract Purchaser, Defenders of Animal Rights, Inc., is a non-profit organization whose members are made up of volunteer workers. Its main purpose is to protect animal rights. To further their work, they wish to purchase this property and construct a building of approximately 70' x 150' that shall consist of 10,500 square feet. The floor plan for the use of this building would be as follows:

Space for garage, 30' x 40'	1200 square feet
Reception area, 30' x 40'	1200 square feet
Offices	1000 square feet
Rest room and shower	300 square feet
Kitchen, 10' x 30'	150 square feet
Storage, 10' x 15'	150 square feet
Utility, 10' x 15'	150 square feet
Treatment area	800 square feet
	5100 square feet

Balance of building for kennel area, 40 sq. ft. each and puppy and kitten area	5400 square feet
--	------------------

Total.....10,500 square feet

In addition to the volunteer workers, there would be two or three paid employees, one of whom would live on the

- 2 -

premises. The use of the cemetery would be restricted to animals owned by members only.

You had indicated in your statement of July 5, 1979 addressed to the Zoning Commissioner, that the trips per day of 420 was based on a veterinarian center that is operated for profit. In this instance, the only treatment that we would administer would be for emergency purposes only and would not be available to the general public. Any persons owning animals would not be able to have their animals treated at this particular veterinarian.

I would, therefore, appreciate your reviewing this matter in light of how this property will be used by the Contract Purchaser. I will await your further reply in this matter.

Very truly yours,

Robert J. Romadka
Robert J. Romadka

RJR/dsl
cc: Mr. James R. Kovic
Defenders of Animal Rights, Inc.

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550
STEPHEN E. COLLINS
DIRECTOR

July 5, 1979

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

Item No. 220 -ZAC- Meeting of April 24, 1979
Property Owner: Mary Testudine, et al
Location: E/S Old York Rd. 1900' N Paper Mill Rd.
Existing Zoning: R.C. 2 & R.C. 4
Proposed Zoning: Special Exception for a kennel, animal shelter, veterinarian and cemetery (IDCA 79-14-X) and Variance to permit setbacks of 76' and 131' in lieu of the required 200' for an animal boarding place.
Acres: 35.811
District: 10th

Dear Mr. Hammond:

The requested special exception for a kennel, animal shelter, veterinarian and cemetery can be expected to generate approximately 420 trips per day.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/mjm

baltimore county
department of health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 21, 1979

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

Dear Mr. Hammond:

Comments on Item # 220, Zoning Advisory Committee meeting of April 24, 1979, are as follows:

Property Owner: Mary Testudine, et al
Location: E/S Old York Rd. 1900' N Paper Mill Rd.
Existing Zoning: R.C. 2 & R.C. 4
Proposed Zoning: Special Exception for a kennel, animal shelter, veterinarian and cemetery (IDCA 79-14-X) and Variance to permit setbacks of 76' and 131' in lieu of the required 200' for an animal boarding place
Acres: 35.811
District: 10

A private water well and sewage disposal system are proposed. Soil percolation tests have been conducted. A building permit can be approved in accordance with the soil evaluation approval letter dated March 2, 1979 and the approved plot plan dated March 7, 1979.

Prior to new installation(s) of fuel burning equipment the owner should contact the division of Air Pollution Control, 494-3775, to obtain requirements for such installation(s) before work begins.

Very truly yours,

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

LJF/JRF:phg

cc: W. Phillips

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

May 21, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Mary Testudine, et al

Location: E/S Old York Rd. 1900' N Paper Mill Rd.

Item No. 220 Zoning Agenda Meeting of 4/24/79

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 dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 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", 1975 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED *George M. Hagan* Noted and Approved: *George M. Hagan*
Planning Group Fire Prevention Bureau
Special Inspection Division

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 60-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently opposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for a special exception to permit a kennel, animal boarding place, veterinarian, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause water pollution and traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER	ADDRESS
Wm. R. Ry	5000 1st St. N. W.
Nancy S. S. S.	1000 1st St. N. W.
William B. S. S.	1000 1st St. N. W.
Roddy A. S. S.	1000 1st St. N. W.
John A. S. S.	1000 1st St. N. W.
Jeffrey A. S. S.	2425 1st St. N. W.
William R. S. S.	3123 1st St. N. W.
Emily W. S. S.	1000 1st St. N. W.

WE, the undersigned property owners and aggrieved parties in the Tenth Election District of Baltimore County, Maryland are vehemently proposed to Zoning Petition No. 80-48-XA as filed before the Zoning Commissioner of Baltimore County for special exception to permit a kennel, animal boarding place, veterinarian's, and animal cemetery on that property owned by Mary Testudine, et al under Contract of Sale to Defenders of Animal Rights, Inc., and the undersigned are further opposed to the accompanying application for variances from the property line setback requirements of Section 421.1 and 421.3 of the Baltimore County Zoning Regulations. We are opposed to this application because, among other reasons, the granting of the Petition would be detrimental to the environment, decrease property values, substantially change the character of the neighborhood, thrust a commercial use in the midst of a farming and residential area, would cause pollution and contamination and the granting of said application would cause traffic congestion and would serve as a wedge upon which additional commercial zoning applications could be predicated.

OWNER: *	ADDRESS:
<u>Richard J Perry</u>	<u>2834 Paper Mill Rd., Spring Mt.</u>
<u>John H. Kullmann</u>	<u>2901 J. M. M. R. D. P. P. 1</u>
<u>John M. M.</u>	<u>2834 Paper Mill Rd. P. P. 1</u>
<u>M. A. M. M.</u>	<u>2813 Paper Mill Rd. P. P. 1</u>
<u>John E. Collins</u>	<u>2900 Paper Mill Rd. " M. M. 1</u>
<u>J. C. Collins</u>	<u>2900 Paper Mill Rd. " M. M. 1</u>
<u>Mythos</u>	<u>2836 Paper Mill Rd., M. M. 1</u>
<u>John M. M. M.</u>	<u>2926 Paper Mill Rd. P. P. 1</u>

WE THE CONCERNED UNDERSIGNED PEOPLE DO VIGOROUSLY AND STRONGLY OPPOSE THE LOCATION OF AN ANIMAL SHELTER AND WHATEVER ELSE MAY BE INVOLVED ON OLD YORK ROAD ABOUT ONE MILE FROM JACKSONVILLE, MARYLAND.

WE ALSO OPPOSE STRONGLY THE CHANGING OF THE ZONING LAWS CONCERNING SETBACK FROM OLD YORK ROAD AND ALSO THE SIDELINE SETBACK.

	NAME	ADDRESS	PHONE
258 1561	R. Brimingham	2972 Papezque Road	667-1499
	J. H. Dyer	13607 Brownbrook Rd.	592-1535
	Daniel B. Lee	3764 Stansbury Mill Rd	666-7551
	B. Grizzle	13606 Brownbrook Rd	592-8710
#	Wendy J. Lewis	2971	666-903-
	P. A. McLeod	35	666-2310
	Gladys C. Brown	157	772-985-
	H. E. Burkholder	1	771-4559
	C. S. Moutigue	13717 Martins Rd	771-4566
	Plunkett	13531 Foxworthville	667-6933
	Mary C. McLaughlin	9406	666-1977
	Kirk G. McWhorter	13609 Royal Crest Dr.	625-7351
	David R. Palmer	13625	592-6822
	F. Robert Benson	322 Chestnut Drive	592-9736
	L. O. Phillips	13828 Graham Rd.	592-5108
	C. Paul Ring	14305 Rubicon Rd	667-6465

THERE ARE SIGNS ON OLD YORK ROAD - 2000 FT. ON LEFT MARKING PROPOSED SITE.

ZONING VARIANCE HEARING - COURT HOUSE, TUESDAY, SEPTEMBER 18, 1979, Rm. 106, 1:30 PM

WE THE CONCERNED UNDERSIGNED PEOPLE DO VIGOROUSLY AND STRONGLY OPPOSE THE LOCATION OF AN ANIMAL SHELTER AND WHATEVER ELSE MAY BE INVOLVED ON OLD YORK ROAD ABOUT ONE MILE FROM JACKSONVILLE, MARYLAND.

WE ALSO OPPOSE STRONGLY THE CHANGING OF THE ZONING LAWS CONCERNING SETBACK FROM OLD YORK ROAD AND ALSO THE SIDELINE SETBACK.

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
	Mrs. V. F. Kendrick	1490 E. Oakleaf Rd. Phoenix	472-2687
	Leon Barthman	3016 Monroe Rd. Baltham	559-9697
	Sheena R. Rizer	3318 Han Rd. Minnita	472-2424
	Maury Johnson	5 Raymond Ct. New Cany.	592-2072
	D. E. Gary	14012 7th Land Rd. Phoenix	592-5172
	Tom Gary	3377 Boulay Mills Phoenix	472-3287
x	Mrs. J. L. Swartz	2815 P. L. West Pl. Glendale	466-1880
	Ed Wilfong	8442 HAWLEY CT. BILWAIN	592-6660
x	Wm. E. Kiege	1200 Sagewood Rd. Phoenix	472-4424
x	Therin Olson	4102 Phoenix Ave	667-7889

THERE ARE SIGNS ON OLD YORK ROAD - 2000 FT. ON LEFT MARKING PROPOSED SITE.

ZONING VARIANCE HEARING - COURT HOUSE, TUESDAY, SEPTEMBER 18, 1979, Rm. 106, 1:30 PM

WE THE CONCERNED UNDERSIGNED PEOPLE DO FOURTHOUSAND AND STRONGLY OPPOSE THE LOCATION OF AN ANIMAL SHELTER AND WHATEVER ELSE MAY BE INVOLVED ON OLD YORK ROAD ABOUT ONE MILE FROM JACKSONVILLE, MARYLAND.

WE ALSO OPPOSE STRONGLY THE CHANGING OF THE ZONING LAWS CONCERNING SETBACK FROM OLD YORK ROAD AND ALSO THE SIDELINE SETBACK.

[illegible]

THERE ARE SIGNS ON OLD YORK ROAD - 2000 FT. ON LEFT MARKING PROPOSED SITE.

ZONING VARIANCE HEARING - COURT HOUSE, TUESDAY, SEPTEMBER 18, 1979, Rm. 106, 1:30 PM

FROM: CONCERNED RESIDENTS OF THE AREA

WE THE CONCERNED UNDERSIGNED PEOPLE DO VIGOROUSLY AND
STRONGLY OPPOSE THE LOCATION OF AN ANIMAL SHELTER AND
WHATEVER ELSE MAY BE ENVOLED ON OLD YORK ROAD, ABOUT 1 MILE
FROM JACSONVILLE, MARYLAND.

WE ALSO POSSESS STRONGLY THE CHANTING OF THE ZONING LAWS
CONCERNING SARGASS FROM OLD YORK ROAD AND ALSO THE SIDELINE
CATCH.

Bill Grinstead 4788' Fairview Rd. Phoenix, Md 21131
Bonnie & Smith 2909 Paper Mill Rd. Phoenix, MD 21131
Heidi Hansen 13602 Alhston Ave. Baltimore, Md 21012
Sam Morris 13100 Sunnyside Pike Phoenix, Md. 21131
Norma Campbell 7000 Holly Knoll Dr. Glen Artn 21057
Chris Dunham 13 Dalbeth Drive Phoenix Md 21131
Sally Horvath 4100 S. Maryland Ave. Rockton, Md. 21111
G. L. O. A. K. L. m. m. 2 AS 607 CT. BALDWIN, MD. 21012
~~John & Mary~~
Mary Gurnie 3000 Statton Rd. Phoenix Md 21131
Mark & Mary 5501 Sweet Ave Rd. Baldwin Md 21013
Bonnie Johanson 13704 E Devonfield Baldwin, Md. 21012
Lillian Cox 13604 Sunnyside Dr. Phoenix, Md 21131
Judith J. Adams 4102 Rosehurst Ln. Glen Artn Md 21057
Wendy Macrauer 4315 Dorcas Rd. Baldwin 21013
Mary E. Kerner 14108 Sunnyside Pike Phoenix Md.
Judith T. Erbe 3611 Southside Ave 21131
Debra Fisher Shoppers Rd - Rockton
Joan Goodman Duddington Way. Phoenix
Susan H. Heiber 4044 Holly Knoll Dr. Glen Artn
Linda Westwick 30 Glenbrook Dr. Phoenix, Md 21131
Mary Whiteyuker Great Ave. Monroton, Md. 21111
Thomas & P. 15156 Milford Rd " "

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 12-14-01 BY 60322 UCBAW/STP

JOHN W. HARRIS IN ALK 106 COURT HOUSE AT 1:00
~~JOHN W. HARRIS~~
 TUESDAY SEPTEMBER 18 1979 OVER 1.

FROM: CONCERNED RESIDENTS OF THE AREA.

WE THE CONCERNED UNDERSIGNED PEOPLE DO VIGOROUSLY AND
STRENGTHFULLY OPPOSE THE LOCATION OF AN ANIMAL SHELTER AND
WHATEVER ELSE MAY BE INVOLVED ON OLD YORK ROAD, ABOUT 1 MILE
FROM JACOBOWITZ, MARYLAND.

WE ALSO OPPOSE STRONGLY THE CHANGING OF THE ZONING LAWS
CONCERNING SIBBAC FROM OLD YORK ROAD AND ALSO THE SIDELINE
SETBACK.

Philo Dideman 3100 Parker Mill Rd 628-2769
 Aaron Bergman 3100 Parker Mill Rd. 628-2769
 Amy Butcher 14932 Sweetwater Rd 666-8073
 Se Springer 13000 Dunaway Vg Road 593-8786
 Uler Mosier 13100 Juntownville St. 666-2186
 A. J. A. R. - 9 13000 Juntownville St. 666-2186
 (Donato De Bona)
 Anne Nelson 2 Stay Court 666-8290
 Jennifer M. Jones 13318 Redcoat Ln 594-6688
 Rose M. Zinkhan 14423 Jarrettville Pike 666-2466
 Fred M. Jursik 4006 Dance Mill Rd 592-7356
 Dave M. Rossi 1 Harnet Ct 21013 592-2973
 Phyllis Zinkhan 2501 Parker Mill Rd 21134 667-1246
 H. B. Bonds 46610 Lewis 59143 592-6294
 Marge Dond 3829 Glenburni 21131 592-7133
 Norma Schapira 14237 Jarrettville Pike 666-1700
 Mary Ann Collins 14601 Oak Creek Road 666-8138

THE 2 LBS STAIRS ON OLD VILL RD. 2000 FEET ON EAST

SPRING VARIANCE MEASURING IN APRIL 1966 GUNNE MOVED AT ~~7:30~~
~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~ ~~11:00~~ ~~11:15~~ ~~11:30~~ ~~11:45~~ ~~12:00~~ ~~12:15~~ ~~12:30~~ ~~12:45~~ ~~1:00~~ ~~1:15~~ ~~1:30~~ ~~1:45~~ ~~2:00~~ ~~2:15~~ ~~2:30~~ ~~2:45~~ ~~3:00~~ ~~3:15~~ ~~3:30~~ ~~3:45~~ ~~4:00~~ ~~4:15~~ ~~4:30~~ ~~4:45~~ ~~5:00~~ ~~5:15~~ ~~5:30~~ ~~5:45~~ ~~6:00~~ ~~6:15~~ ~~6:30~~ ~~6:45~~ ~~7:00~~ ~~7:15~~ ~~7:30~~ ~~7:45~~ ~~8:00~~ ~~8:15~~ ~~8:30~~ ~~8:45~~ ~~9:00~~ ~~9:15~~ ~~9:30~~ ~~9:45~~ ~~10:00~~ ~~10:15~~ ~~10:30~~ ~~10:45~~

Tuesday Sept. 18, 1979

Defenders of Animal Rights, Inc. (DAR), P.O. Box 4786, Baltimore, Maryland 21211, is a nonprofit organization dedicated to eliminating cruelty to all animals. This newsletter is published three times a year and is free to members. Meetings are held annually.
 Mary Jo Kovic--President and Editor
 James Kovic--Vice-President, Treasurer, Photographer
 Pat Morris--Secretary
 Joyce DeMans--Director of Humane Education

****NEW LAW WILL PROHIBIT DECOMPRESSION CHAMBERS IN MARYLAND****

Effective January 1, 1980, Maryland will join Arizona, California, Massachusetts, and Dallas, Texas, in banning decompression chambers. The new law will also prohibit use of carbon monoxide and curariform drugs.

DAR is deeply indebted to Delegates Elizabeth Smith (R, Anne Arundel County) and James McClellan (D, Washington and Frederick Counties) for introducing this bill and to all those who worked for its passage. Hopefully, all facilities in our state will switch to sodium pentobarbital so that some 230,000 homeless dogs and cats will be guaranteed a humane death.

The chamber (photo) is a cylindrical drum into which dogs and cats, large and small, are jammed. Once the chamber door is shut, the air is sucked out until the animals die from lack of oxygen. Dr. John Kalberer, of the National Institutes of Health, told DAR that gases trapped in the body can rupture the liver, spleen, and sinuses; and there is compression of nerve fibers causing pain--all often before the animals lose consciousness.

Thanks to Defenders of Animal Rights, the Baltimore City Pound replaced its chamber with sodium pentobarbital two years ago. Does the Md. SPCA Still Use its Chamber???

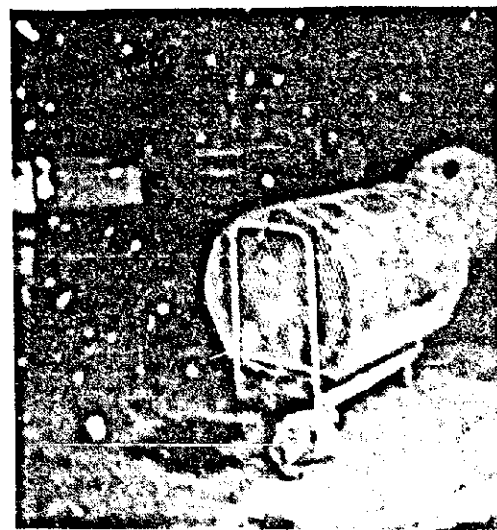
Based on our success at the Baltimore Pound and the fact that passage of state legislation could be a couple years ahead, DAR began a campaign two years ago to convince the Maryland Society for the Prevention of Cruelty to Animals (Md. SPCA) that it should stop use of its decompression chamber. Possibly, we have been successful. However, the SPCA has consistently refused to state in writing its current method of euthanasia.

Our story begins in February, 1977, when a representative of the Md. SPCA publicly stated that except for puppies and kittens and animals with respiratory problems, all dogs and cats were killed in a chamber. The SPCA defended its action saying the machine presented the least trauma to personnel performing euthanasia.

President Mary Jo Kovic then wrote Celeste Hutton, president of the Md. SPCA, asking the society to discontinue use of its chamber. Ms. Hutton did not indicate the SPCA would make this change. Having no other recourse, we asked you to exert pressure by letters and phone calls. To our knowledge, no one has ever received a written response even though many people threatened to remove the Md. SPCA from their wills.

Several months later, we again wrote Ms. Hutton. NO RESPONSE! Finally, in August, 1978, DAR began preparing its taped emergency/general information phone message which gives up-to-date facts about several area facilities. To make certain our information about the Md. SPCA was correct, we sent yet another letter specifically asking if there had been a change in the organization's method of euthanasia. Ms. Hutton sent a

MORE ON PAGE FOUR



This letter sums up the story behind CC 1762. Do not blame Dr. Julian alone. Not one councilperson has petitioned the doctor to give our bill its "day in court." Thus, CC 1762 has died and must be re-introduced.

We hope you are angry enough to get involved in what may be our last chance to help pound puppies and dogs. With elections just a few months away, City politicians are certain to be much more receptive. Here is what the animals need:

1) All members should phone the Council-people. Keep calling until you can speak to them directly. It doesn't matter that you live outside Baltimore City. Politicians will often move on to bigger positions and will need your vote.

2) Additionally, all City members must ask for a personal meeting with their own district councilpersons. Visit your representatives. Better yet, have them come to your home to see your pets who should not suffer and die in horrible experiments. Be persistent!

With all the phoning and meetings, ask the councilpersons to re-introduce CC 1762. Request they petition Dr. Julian to give the bill a hearing and to notify you in writing that they have taken this action and that they will vote for the Bill.

3) You should also write Mayor William Donald Schaefer (100 North Holliday St., Baltimore 21202). Ask him if he will raise the price of pound puppies and dogs for research so as to make their cost prohibitive to the medical community. This would make another bill unnecessary and would avoid considerable red tape and more delays.

If you do not get a written response from any of your contacts or if that response does not say a definite "yes" vote, remember two things. This person would not stand up and be counted for the animals, and that at the polls this November you have the power to elect someone who will! Pound puppies and dogs will be forever doomed to the vivisection's scalpel until we elect politicians who will support measures like CC 1762.

Defenders of Animal Rights has worked hard on this controversial and heartbreaking battle. Now our strength--our only hope--lies with you. Saying we have 3,900 members is meaningless if you don't back us. The animals are counting on you, and we appreciate your dedication and support.

- BALTIMORE CITY COUNCILPEOPLE BY DISTRICTS
- 1st--Dominic Di Pietro.....396-4807
Donald Hammen.....396-4808
John Schaefer.....396-4828
 - 2nd--Clarence Burns.....396-4810
Mary Pat Clarke.....396-4811
Nathan Irby, Jr.....396-4829
 - 3rd--Carroll Fitzgerald....396-4813
Martin Curran.....396-4821
Frank X. Gallagher.....396-4830
 - 4th--Victorine Adams.....396-4815
Emerson Julian, Jr.....396-4816
Michael Mitchell.....396-4831
 - 5th--Reuben Caplan.....396-4818
Rochelle Spector.....396-4819
Thomas Waxter, Jr.....396-4832
 - 6th--George Della, Jr.....396-4822
Joseph Murphy.....396-4821
William Myers.....396-4833

Stop the sale of puppies for research THE SUN 5/28/79

SIR: Is it possible the Baltimore City Council has forgotten that people are entitled to a voice in their government? This appears to be the case with CC 1762 which seeks to stop the sale of Baltimore pound puppies and dogs to research labs. Because Dr. Emerson Julian, Jr. does not support this bill, he is refusing to give it a hearing. Thus, the bill will die shortly due to one man's political maneuver.

Defenders of Animal Rights had CC 1762 introduced because use of pound puppies and dogs encourages the philosophy that animals are cheap tools. And it discourages other experiments that are humane and more reliable.

Public health is in jeopardy when researchers use stray dogs whose genetic background is unknown and whose condition is generally poor. Even the National Institutes of Health no longer uses pound-origin animals nor do eight states and Great Britain.

Finally, people often abandon pets or refuse to report strays rather than risk the animals being turned over by the pound for vivisection. This adds to the city's horrendous animal overpopulation problem, costing many animals their lives and Baltimore taxpayers \$600,000 in taxes each year.

Write and phone your councilperson today. Request he reintroduce CC 1762 and that he petition Dr. Julian to hold a public hearing. In this election year, let us show the politicians we will not be duped into accepting a one-person rule in a democratic society.

MARY JO KOVIC,
President, Defenders of Animal Rights,
Baltimore.

DAR URGES EMERGENCY PLAN FOR PETS

It was 1 a.m. when Jasper alerted the Kovics to a frightening knock at the door. Due to a propane truck accident, firemen were evacuating the area. The Kovics and their pets got quickly out of the house because they had an emergency escape plan.

With railroad derailments, the three-mile Island nuclear accident, and natural disasters such as fire, flood, etc., becoming uncomfortably commonplace, DAR suggests you prepare an evacuation plan. Here are some points to consider:

- 1) Dogs/cats must have ID tags with your phone no. Licenses alone won't do.
- 2) Keep your dog's leash and your cat's carrier in your bedroom. A cardboard carrier (that can also be used for vet visits) is available from your vet for just a few dollars. In an extreme emergency, you could place your cat in a pillow case and knot the top.
- 3) While a bird's cage should be lightly covered at night, a heavier blanket is needed for evacuations.
- 4) Keep dry pet food, a drinking bowl, and litter pan in your car trunk.
- 5) Finally, devise several escape routes. Plan where you could take your pets. Would they be safe in a neighbor's screened porch or fenced yard? Could they be temporarily placed in your car?

A little forethought and a few precautions today could save you the heartbreaking trauma of having a pet who didn't make it out of your home.



President Mary Jo Kovic explains evacuation procedures to evacuees Fluffy (kitty), Lisa (on chair), and Jasper.

\$30-MILLION ESTATE GOES TO ANIMAL GROUPS

Several national humane organizations recently received a total of \$30 million due to the kindness of a California animal lover. And, in New Jersey, part of a \$60-million trust fund was also allocated for humane projects on the national level. These are prime examples of how bequests enable charities to carry on their vital work.

While we can dream about getting a millionaire's gift, the only sure way to stop cruelty here in our own state is to turn to you. Having no wealthy benefactors, DAR is struggling--really struggling--to help the animals. Everyday we see the suffering. They cry out for help; but with-out a shelter, we are powerless to make many reforms that are desperately needed. Please, will you be the one to change all this. Will you

- 1) Phone your insurance agent today to add Defenders of Animal Rights, Inc., as a beneficiary on your life-insurance policy. You can designate a specific amount or a percentage. Your agent will do this free of charge.
- 2) Let DAR's attorney write/amend your will to include Defenders of Animal Rights, Inc. The charge is only \$10 (which the attorney is donating to DAR) with the stipulation that the organization be given a bequest of money or property of at least \$1,000. Write Jim Kovic, vice-president/treasurer for details and include your phone number.

Recently, a DAR member died leaving an estate of about \$100,000. Because he procrastinated with his will, his entire fortune is going to the state instead of to the animals he loved. Please don't delay. Even a small gift will perpetuate your kindness. And, you will have the great satisfaction of knowing you helped ensure a future for an active, loving, and caring humane society--Defenders of Animal Rights, Inc.

IS THERE ROOM IN YOUR HEART FOR JILL?

Jack and Jill's story was no frivolous nursery rhyme. Mr. Ivan Shapiro* found these three-month-old pups abandoned in Leakin Park. They were near starvation and crying for help.

Soon Mr. Shapiro's mother Dorothy and brothers Alan and Edward were also pitching in plenty of tender loving care. Thanks to them, both dogs have grown healthy and strong. Jack has been adopted, but Jill (photo) needs a home.

Jill is 10-months-old, is spayed, and has all her shots. She loves children. And, her enthusiasm for play can only be matched by the abundance of love she has for the special people who will make her their own.

If you have room in your heart for Jill or any of our other orphans, send us a note with your phone number. Other waiting animals include: a large, Labrador retriever-type male; a male schnauzer; a shepherd/collie mix; and several kinds of cats and kittens.

Remember Jenny whose photo appeared in our last newsletter? She needed a home; and the Kettlers, of southwest Baltimore, answered our plea. In honor of their 14-year-old Fluffin who recently had to be put to sleep because of liver tumor, the Kettlers decided to share their love and lives with Jenny.

The Kettlers are our kind of pet owners! Before the dog's arrival, Mrs. Kettler made her husband mow the lawn. It didn't matter that Jenny would rarely be outside. The Kettlers wanted to make a good impression!!! *EDITOR'S NOTE: DAR extends its sympathy to the Shapiro family for the death of Ivan Shapiro. Mr. Shapiro didn't look the other way. Jack and Jill owe their lives to him. We deeply regret the passing of this kind man.



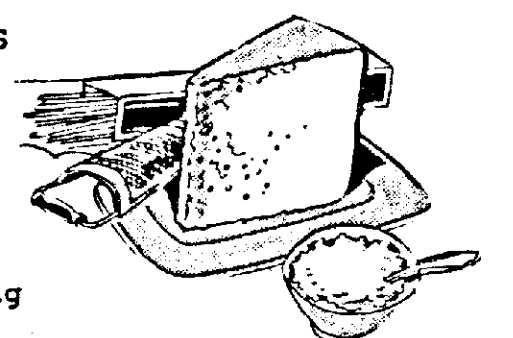
VEGETARIANS ARE NO LONGER AN ENDANGERED SPECIES!

In the last five years, the number of vegetarians has swelled from three to 10 million! Reasons behind this growth are health, economics, or concern for the way animals are raised and killed to become meat. If you want to abstain from meat or just eat less of it, why not try one or two meatless meals a week until you build up a variety of vegetarian recipes. The following one is quick and easy. Bet you won't know there isn't any meat in it!

MEATLESS ITALIAN MEATBALLS

- 2 cups + 1 slice whole wheat bread crumbs
- 1 1/2 cups pecan meal
- 2 scant cups skim mozzarella cheese, grated
- 2 tablespoons grated Parmesan cheese
- 6 large eggs, beaten
- 1 teaspoon garlic powder
- 1 medium onion, chopped
- 1 teaspoon McKay's beef-style or similar seasoning
- 1/2 green pepper, finely chopped

Mix all ingredients and let stand in refrigerator for about two hours. Shape into balls and place on foil on cookie sheet. Broil about two mins. or until balls start to brown. Remove immediately. (At this point, "meat"-balls can be frozen to add to sauce later). Simmer in favorite tomato sauce till thoroughly heated. Serve over spaghetti and top with more Parmesan cheese. Serves 6 to 8.



WHAT'S COOKING? A vegetarian cooking/nutrition course, sponsored by the Seventh-Day Adventists, will be held this October in Glen Burnie. Cost is \$6.50. For registration and more info., send us a note with your phone no.

SETTLEMENT NEARS ON SHELTER/SANCTUARY LAND continued

Our facility will be open 24 hours a day and will have emergency rescues, cruelty investigations, a vigorous pet adoption program, and a spay/neuter clinic. Our ambulances will be on the streets picking up strays and aiding injured animals.

Because of your generosity and loyalty, we are just \$20,000 short of paying the entire cost of the land at settlement! This will save DAR \$40,000 in interest alone and will enable us to jump into Phase II of our fundraising efforts to begin construction of the shelter building.

That we have come so far in such a short time is a miracle many people said would never happen. We owe it all to you. Thank you for your charity which has "moved mountains" for the animals and endeared you in our hearts forever.

We only wish the animals didn't need your support, but they do now more than ever. Will you kindly help us raise the \$20,000?

We are making a special plea to those people who have looked the other way. Since our last newsletter, about 200 more members have promised to donate a dollar a week or have given \$52 at once. This brings the total number of people in the plan to around 500. However, we desperately need all our members to make a commitment and to keep it. Participation from everyone would realize a whopping \$200,000 in one year and would shorten the amount all of us need to contribute.

Equally as important--if you have said you will donate, please, please keep your promise to the animals. We base our future plans on your pledge, and the animals are at a great loss when you do not keep it.

Be assured that we and the animals appreciate the sacrifices all of you are making. Once DAR's land purchase is finalized, we will be inviting you to the property where you can meet the wild animals there.

And, this is just the beginning. Your help will enable defenders of Animal Rights to reach out to thousands of abused, sick, weary, and emaciated dogs and cats through our shelter--during and beyond all our lifetimes! One day, in the near future, you will see and touch those orphans. In your heart you will know the commitment which was once thought to be a sacrifice was really a labor of love.

May the animals count on you today?

WON'T YOU PLEASE HELP? Defenders of Animal Rights, Inc. (DAR)
 P.O. Box 4786
 Baltimore, Maryland 21211

- Enclosed is \$3 for annual membership.
- I want to give an extra \$_____ for the animals.
- Here is \$_____ for the shelter/sanctuary.
- I will put aside \$1 each week and send the money to DAR at the end of each month.
- Please send me 12 envelopes for this purpose.
- MY NAME: _____
- ADDRESS: _____
- CITY, STATE, ZIP: _____

ALL DONATIONS ARE TAX DEDUCTIBLE.



Because of the high cost of postage, we hope you won't mind our not acknowledging your kind donation. Also, when you move, we would appreciate your change of address promptly. This will save DAR time and postage in re-mailing. Thank you for helping the animals.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 30 day of June 1977. Filing Fee \$ 12. Received ☒ Cash ☐ Other

S. Eric DiNenna,
 Zoning Commissioner

Petitioner: Mary Schaefer, et al. Submitted by: [Signature]
 Petitioner's Attorney: [Signature] Reviewed by: [Signature]

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

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: [Signature]	Revised Plans: Change in outline or description ☐ Yes ☐ No									
Previous case: _____	Map # _____									

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 13 day of July 1977.

WILLIAM E. HAMMOND
 Zoning Commissioner

Petitioner: [Signature] Reviewed by: [Signature]
 Petitioner's Attorney: [Signature]

Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 10 Date of Posting: 6/10/77

Posted for: Board of Appeals

Petitioner: Mary Schaefer, et al.

Location of property: 115 E. 9th St., York Md., 21091

Location of Signs: front of property facing road

Remarks: [Signature]

Posted by: [Signature] Date of return: 6/11/77

Number of Signs: 1

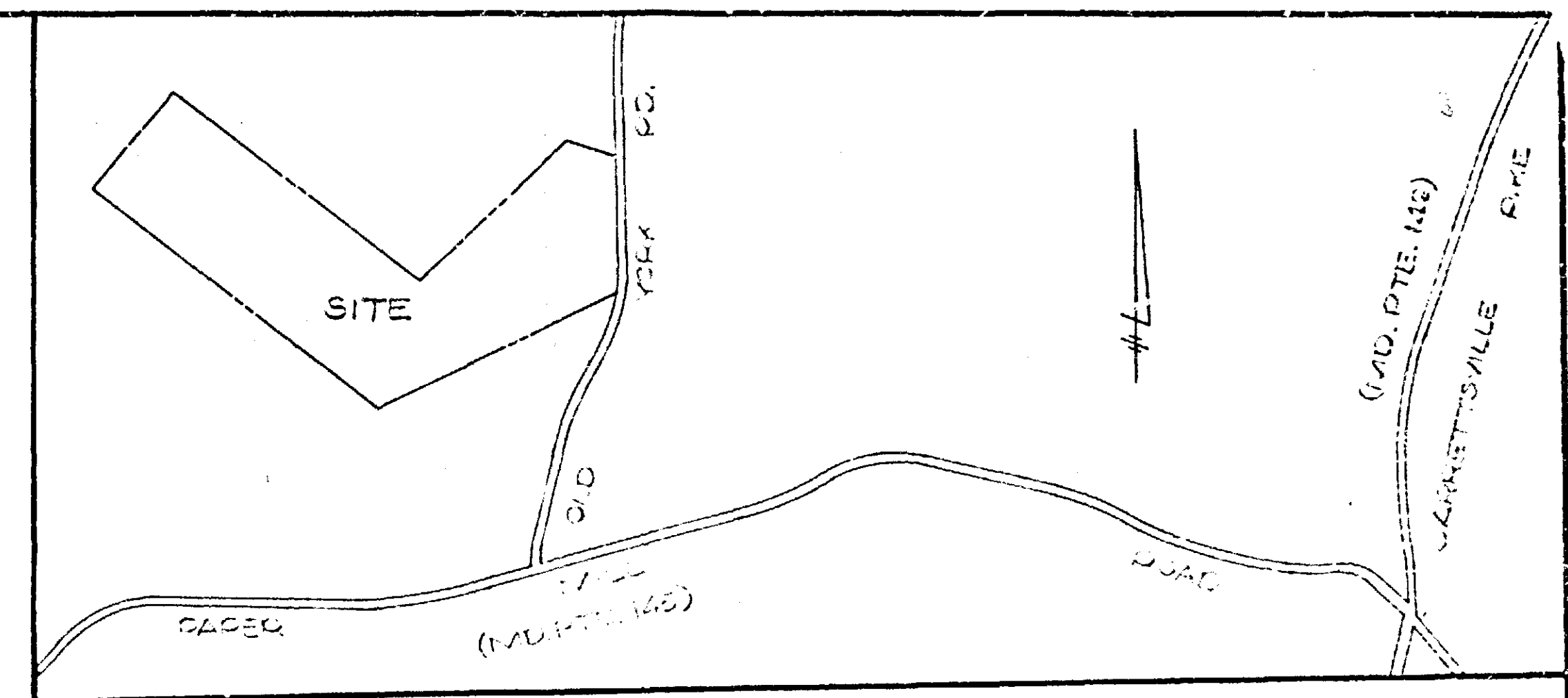
PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION

AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS INC."

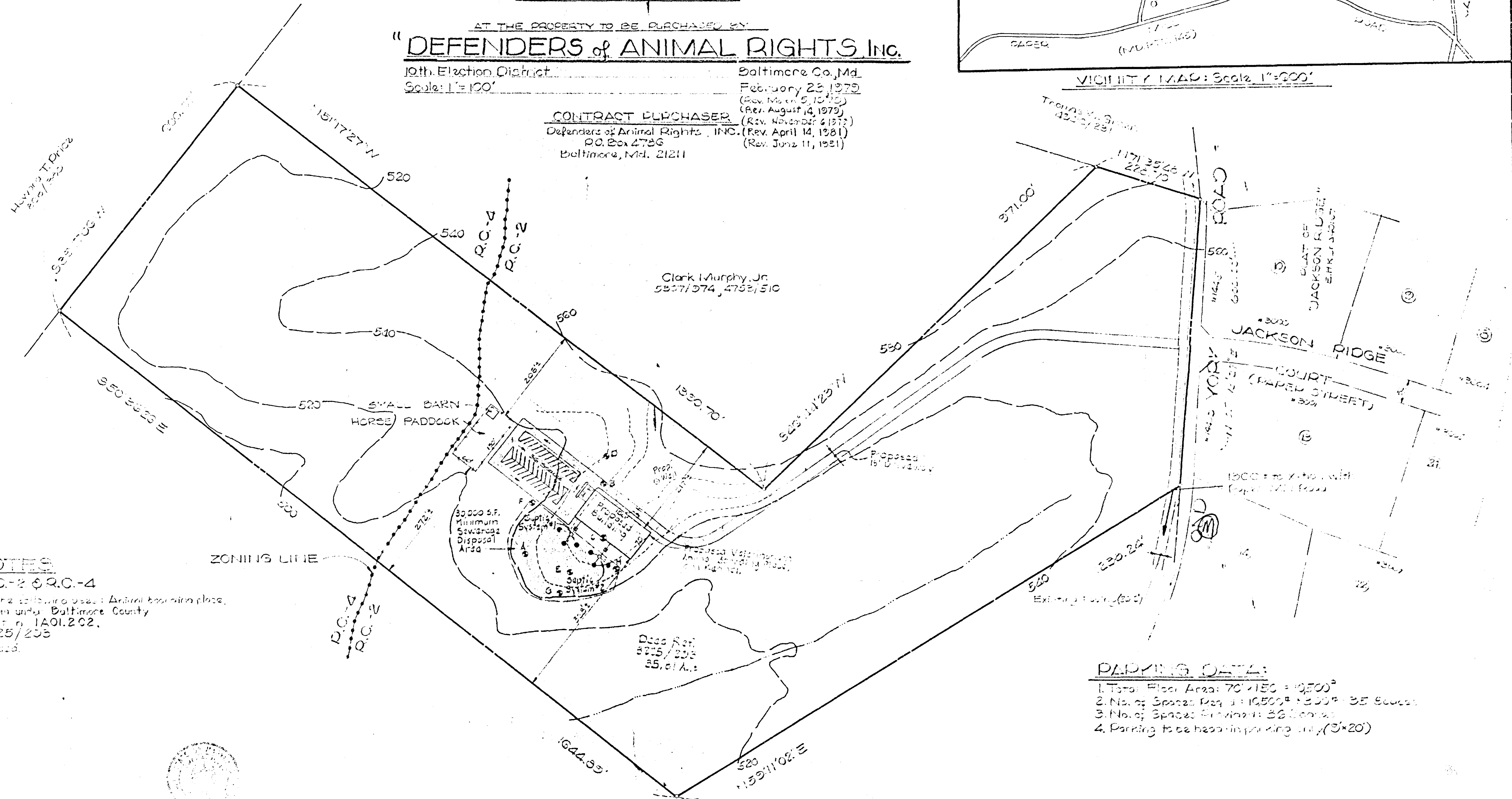
10th Election District
Scale: 1" = 100'

Baltimore Co., Md.
February 23, 1979
(Rev. March 5, 1978)
(Rev. August 14, 1979)
(Rev. November 6, 1979)
(Rev. April 14, 1981)
(Rev. June 11, 1981)

CONTRACT PURCHASER
Defenders of Animal Rights, INC.
P.O. Box 4726
Baltimore, Md. 21211



VICINITY MAP: Scale 1" = 500'



GENERAL NOTES:

1. Existing Zoning: R.C.-2 & R.C.-4
2. Request: to allow for the following uses: Animal boarding place, kennel, and a veterinary under Baltimore County Zoning Regulations, Section 1A01.202.
3. Dated Reference: 5225/205
4. Site is entirely wooded.

PARKING DATA:

1. Total Floor Area: 70' x 150' = 10,500'
2. No. of Spaces Req. at 10,500' x 300' = 35 Spaces
3. No. of Spaces Provided: 32 Spaces
4. Parking to be located in parking area (3' x 20')

H.D. Holmes, Inc.
5251/351

BOARD OF APPEALS
PETITIONER'S
EXHIBIT 13

James W. McKee
James W. McKee
(Md. Reg. # 5512)
Date: 2/23/79
McKee, Duval & Associates, Inc.
Civil Engineers & Land Surveyors
1717 York Road - 1st Floor Building - Lutherville, Md. 21093



COORDINATE TABLE							
NO.	NORTH	EAST	NO.	NORTH	EAST	NO.	NORTH
110	82496.89	12975.89	128	81028.97	13295.21	100	82103.93
111	81722.65	12206.00	129	81104.08	13889.01	101	81928.47
112	81736.06	12265.75	130	81123.43	13437.11	102	81925.66
113	81692.24	12235.21	131	81127.62	13537.02	103	81946.92
114	81547.66	12086.62	132	81118.43	13636.60	104	81875.66
115	81213.09	12047.29	133	81106.32	13754.54	105	81899.20
116	81040.85	12025.83	134	82109.94	13773.47	106	81916.11
117	81029.04	12242.64	135	82297.81	12234.79	107	82101.57
120	80764.34	12207.74	136	82473.17	12431.67	108	82153.66
201	80722.97	12317.21	137	82491.77	12888.19	109	82155.86
120	80921.68	12755.16	138	82560.19	12884.09	110	82166.52
121	80845.72	12803.69	139	81919.24	12850.07	111	81114.22
122	80873.96	12899.02	140	81495.66	12216.70	112	80867.29
123	80877.04	12967.35	141	81492.71	12156.05	113	80919.29
124	81122.55	12829.47	142	81204.07	12086.46	114	81022.35
125	81191.63	13075.95	143	81040.57	12051.63	115	81039.43
126	8083.03	13137.18	144	8225.56	12574.46	116	81169.99
127	81041.78	13243.01	145	8228.71	12597.46	117	81149.85

CURVE DATA							
CURVE	Δ	RADIUS	LENGTH	TANG.	BEARING	LONG CHD	
91-92	5°15'28"	1405.00	151.68	65.89	S17°12'16"W	121.64	
92-93	20°06'00"	985.00	443.41	223.16	S17°27'30"W	444.55	
93-94	20°06'00"	565.00	202.15	102.17	S20°15'00"W	201.08	
22-23	6°44'42"	1360.00	160.10	80.14	U7°31'39"E	120.01	
23-24	38°50'00"	640.00	433.77	225.59	U7°55'00"E	425.57	
99-100	14°17'00"	1200.00	299.15	150.35	S7°26'30"E	293.38	
102-103	41°24'25"	500.00	320.14	139.20	U67°59'42"E	25.22	
103-104	22°29'10"	500.00	229.26	129.26	S50°25'42"E	36.52	
104-105	41°24'25"	500.00	320.14	139.20	U7°55'00"E	425.57	
107-108	14°17'00"	1200.00	299.15	150.35	S7°26'30"E	293.38	

"JACKSON BRIDGE"

10TH ELECTION DISTRICT
SCALE 1"=100'

BALTO. COUNTY MD
SEPTEMBER 9, 1976

E.H.K. JR. 40 FOLIO 67

Filed for record
Date OCT 7 1976
Book:

Clerk



WHEN A WATER APPROPRIATION PERMIT IS REQUIRED UNDER STATE LAW, NO LOT MAY BE OFFERED FOR SALE AND/OR SOLD AND NO CONSTRUCTION ON ANY LOT BEGUN UNTIL SAID WATER APPROPRIATION PERMIT IS OBTAINED.

DENSITY CALCULATIONS:
ZONE: RDP
GROSS AREA OF TRACT: 48.889 ACRES
NUMBER OF LOTS: 29
DENSITY: 29/48.889 = 0.593 LOTS/ACRE

P. W. A. Computing 107609 DM
Plan Plat & Survey
Planning
Engineering
Survey
Date: 9-14-76

GUANOPOWDER FALLS WATERSHED
HIGHWAY'S DEPARTMENT OF BALTIMORE CO.
APPROVED FOR STREET ALIGNMENT & LOCATION

APPROVED FOR BALTO. CO. HEALTH DEPT.

DEPUTY STATE & CO. HEALTH OFFICER

APPROVED FOR BALTO. CO. PLANNING BOARD

DIRECTOR

NOTES:
STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF RECORDATION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED FOR PUBLIC USE. THE FEE SIMPLE TITLE TO THE DEEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
FOR PAUHANDE LOTS PERUSE COLLECTION SHOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PAUHANDE AND THE STREET RIGHT-OF-WAY LINE ONLY, AND NOT INTO THE PAUHANDE LOT DRIVEWAY.
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO BALTIMORE COUNTY METROPOLITAN DISTRICT TRAVERSE STATIONS 12015 & 12016

OWNER'S CERTIFICATE:
THE REQUIREMENTS OF SECTION 59 TO 62, ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1957 EDITION (TITLE: CLERKS OF THE CIRCUIT COURTS) AS APPLICABLE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

SURVEYOR'S CERTIFICATE:
I, EUGENE F. PAPHEL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LOTS SHOWN HEREON HAVE BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SURVEYING OF LAND KNOWN AS HOUSE BILL NO. 439 CH. 1016 OF THE ACTS OF 1945 AND SUBSEQUENT ACTS AMENDATORY THEREOF.

E. F. Paphel
9-14-76
DATE

E. F. PAPHEL & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COURTLAND AVE.
TOWSON, MARYLAND 21204

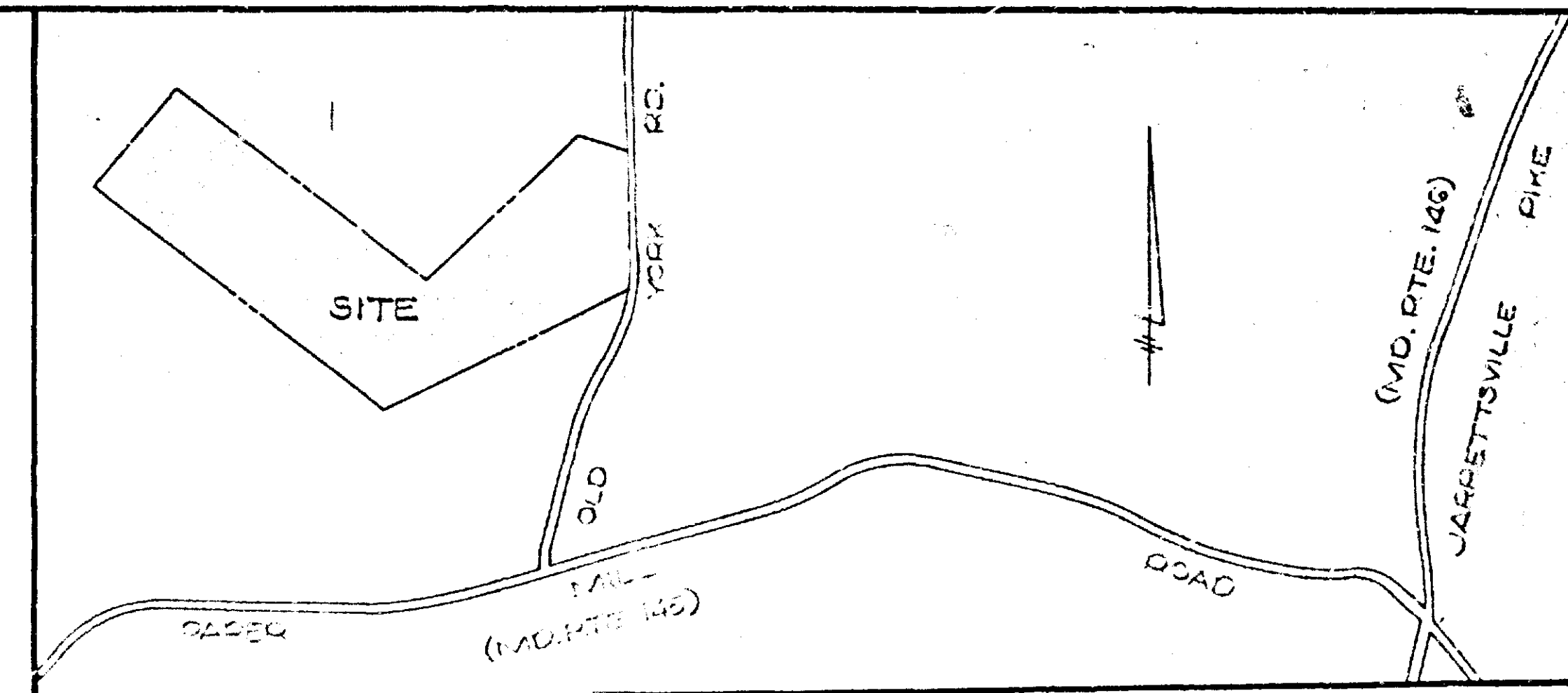
PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION

AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS, Inc."

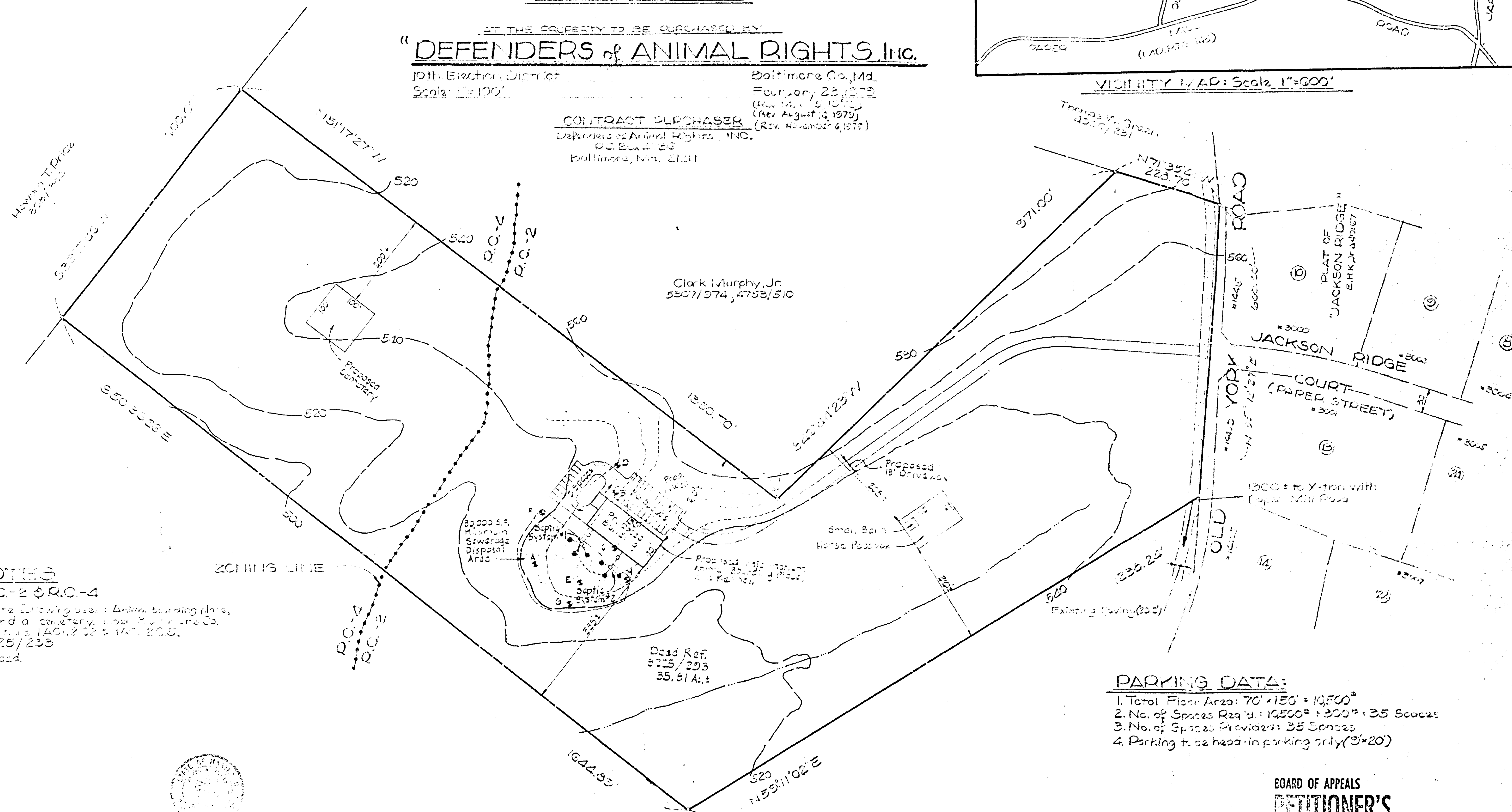
10th Election District
Scale: 1"=100'

Baltimore Co., Md.
February 23, 1979
(Rev. May 15, 1973)
(Rev. August 14, 1973)
(Rev. November 6, 1973)

CONTRACT PURCHASER
Defenders of Animal Rights, INC.
P.O. Box 2753
Baltimore, Md. 21211



VICINITY MAP: Scale 1"=600'



GENERAL NOTES

1. Existing Zoning: R.C.-2 & R.C.-4
2. Request: to allow for the following uses: Animal boarding place, kennel, veterinary, and a cemetery, under Baltimore Co. Zoning Regulation Sections 1401.202 & 1401.203.
3. Data Reference: 3225/203
4. Site is entirely wooded.

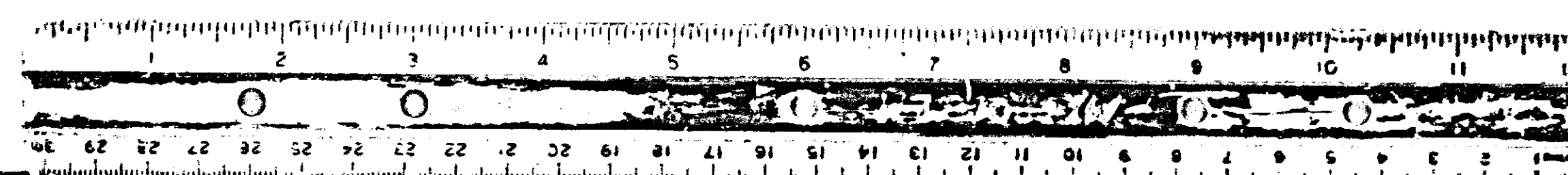
PARKING DATA:

1. Total Floor Area: 70' x 150' = 10,500'
2. No. of Spaces Req'd: 10,500' ÷ 300' = 35 Spaces
3. No. of Spaces Provided: 35 Spaces
4. Parking to be used in parking only (3' x 20')

James W. McKee
James W. McKee
(Md. Reg. # 2012)
Date: 2/23/79
McKee, DuVal & Associates, Inc.
Civil Engineers & Land Surveyors
1717 York Road, 10th Floor Building, Baltimore, Md. 21222

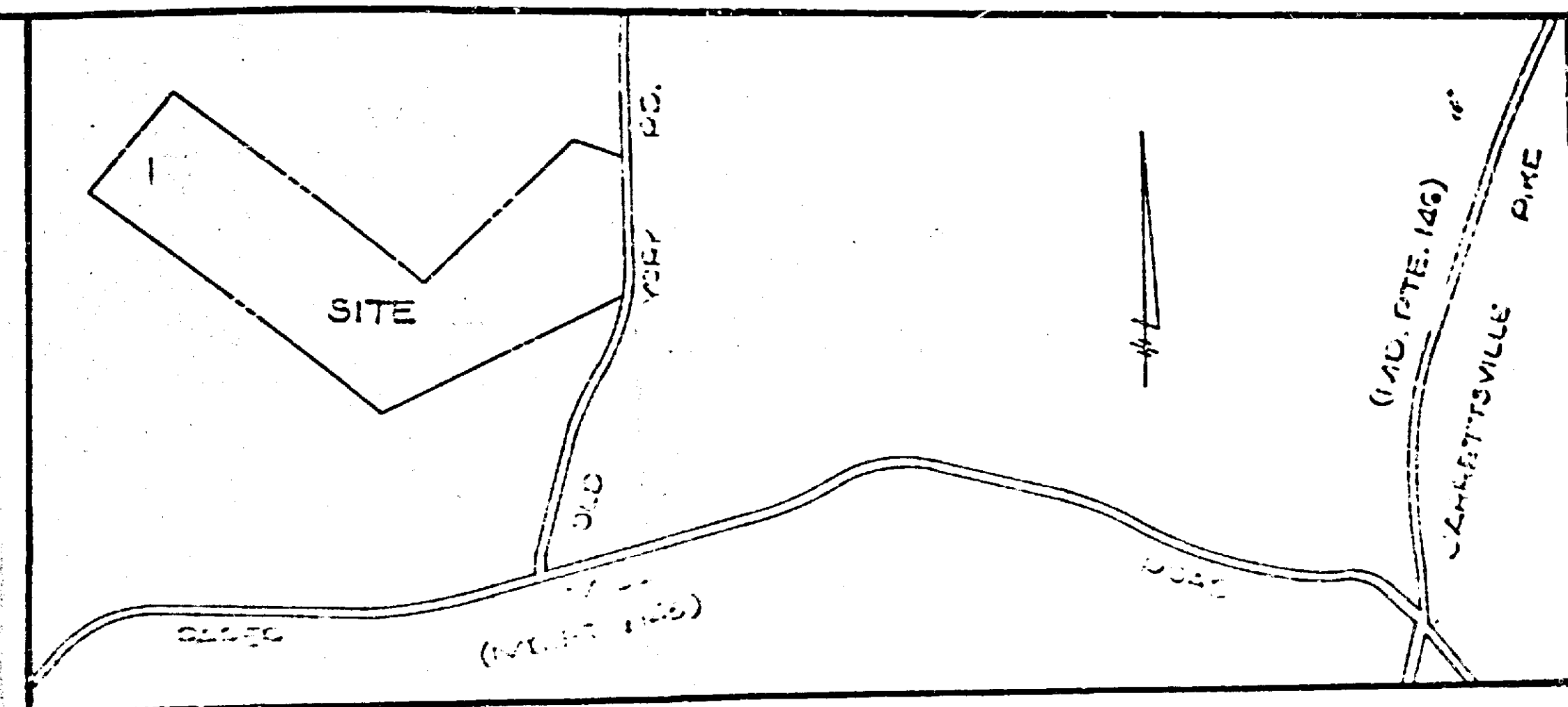
H.D. Holmes, Inc.
5251/351

BOARD OF APPEALS
PETITIONER'S
EXHIBIT #4

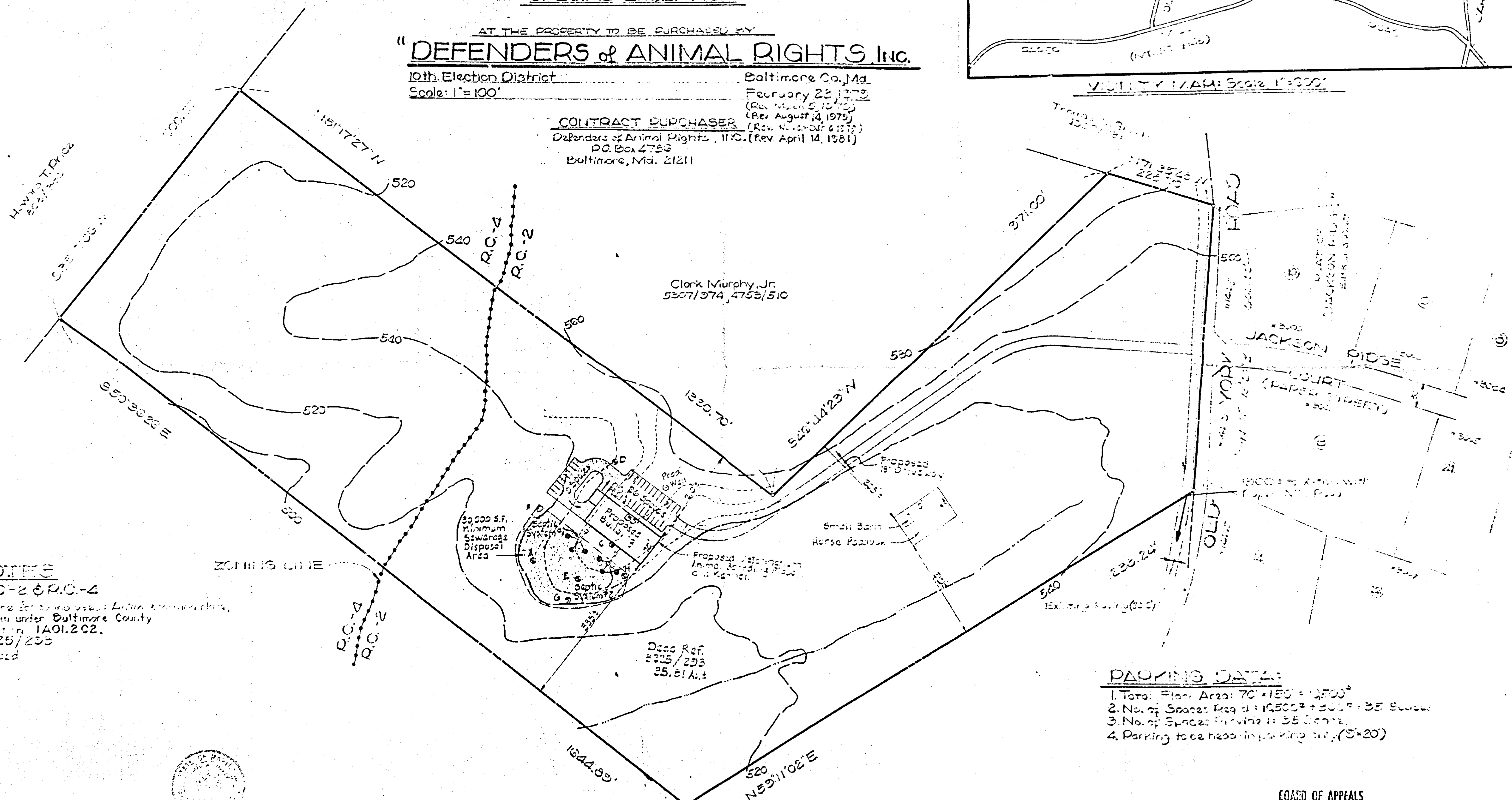


AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS INC.

CONTRACT PURCHASER (Rev. August 14, 1979)
 Defenders of Animal Rights, INC. (Rev. November 6, 1979)
 P.O. Box 4736 (Rev. April 14, 1981)
 Baltimore, Md. 21211



VICINITY MAP: Scale 1"=500'



1. Existing Zoning: R.O.-2 & R.O.-4
2. Request: to allow for the following uses: Antiques, commercial plants, kennel and a veterinarian under Baltimore County Zoning Ordination Section 1A01.202.
3. Design Reference: 3225/235
4. Site is not fully platted

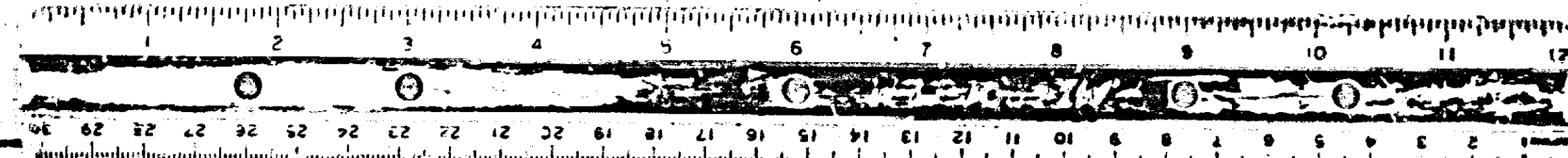
1. Total Floor Area: $70' \times 150' = 10,500'$
2. No. of Spaces Req'd: $10,500' \div 300' = 35$ Spaces
3. No. of Spaces Provided: 35 Spaces
4. Parking fee based on parking only ($\$5 \times 20$)

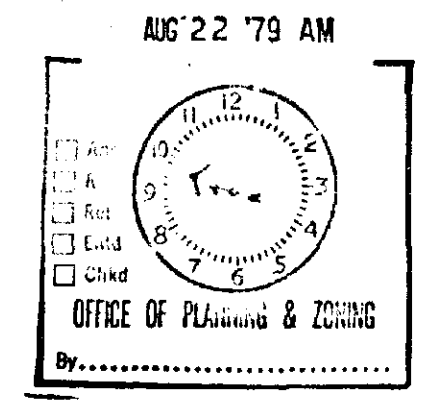
**BOARD OF APPEALS
PETITIONER'S
EXHIBIT** #1

James W. McKeen 2/23/79
James W. McKeen Date:

MOORE, DOWD & ASSOCIATES INC.
Civil Engineers & Land Surveyors
1075 Lee Street on Lee Building - Luttrellville Mo. 20330

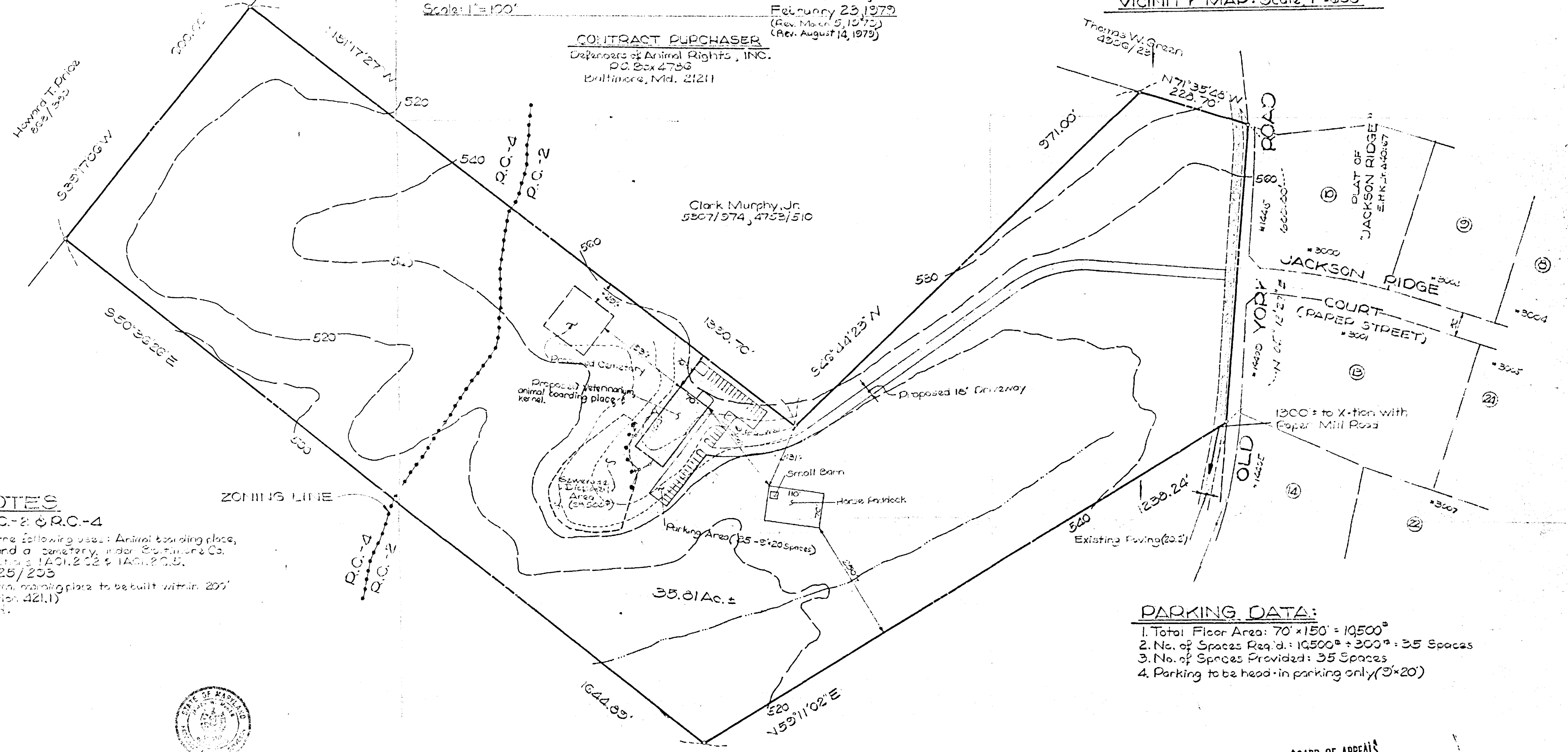
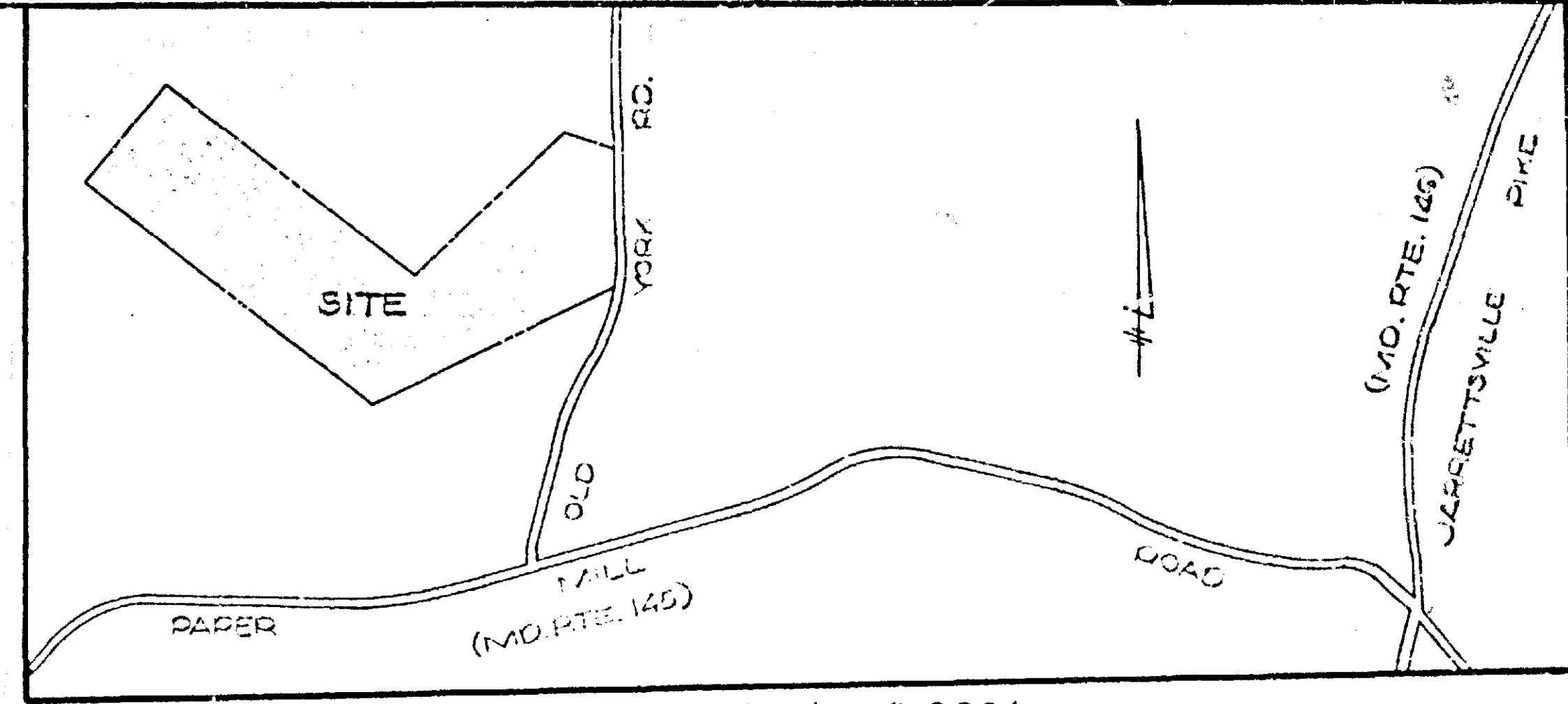
H.D. Holmes, Inc.
5221/351





PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
& VARIANCE
AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS OF ANIMAL RIGHTS INC."

10th. Election District
Scale: 1"=100'
Baltimore Co., Md.
February 23, 1979
(Rev. March 5, 1975)
(Rev. August 14, 1979)
CONTRACT PURCHASER
Defenders of Animal Rights, INC.
P.O. Box 4736
Baltimore, Md. 21211



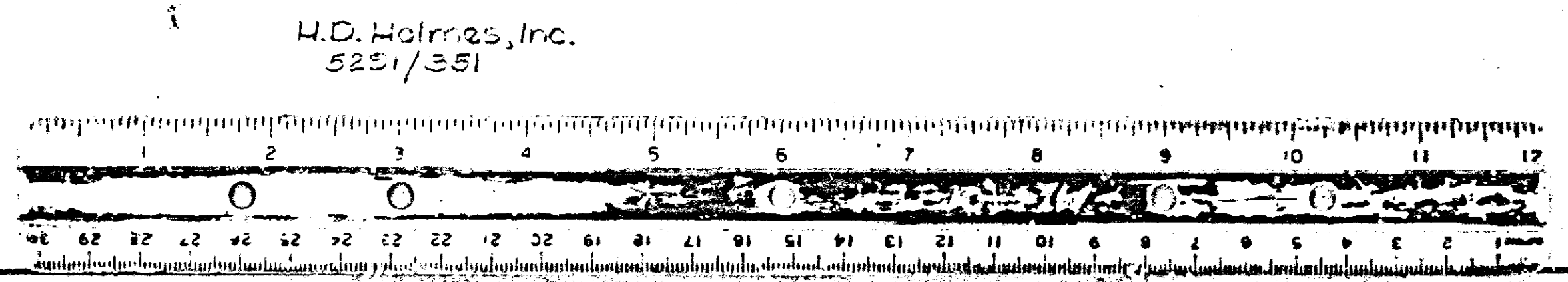
GENERAL NOTES

- 1. Existing Zoning: R.C.-2 & R.C.-4
- 2. Request: to allow for the following uses: Animal boarding place, kennel, veterinarian, and a cemetery, under Baltimore Co. Zoning Regulations Sections 1401.202 & 1401.205.
- 3. Deed Reference: 3225/203
- 4. Variances: to allow animal boarding place to be built within 200' of property line. (Section 421.1)
- 5. Site is entirely wooded.

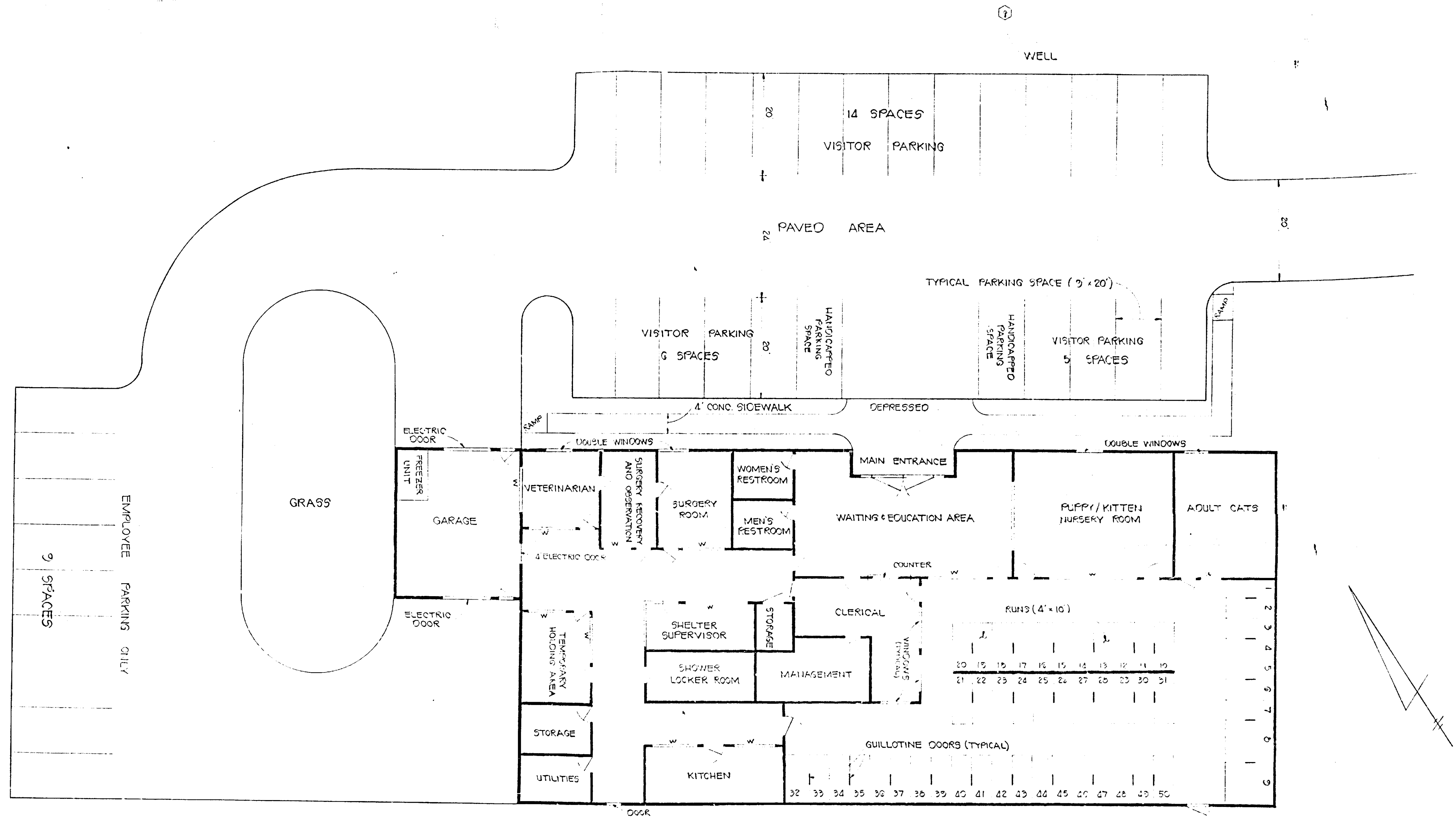
PARKING DATA:

- 1. Total Floor Area: 70' x 150' = 10,500'
- 2. No. of Spaces Req'd.: 10,500' ÷ 300' = 35 Spaces
- 3. No. of Spaces Provided: 35 Spaces
- 4. Parking to be head-in parking only (3' x 20')

James W. McKee
(Md. Reg. # 5512)
Date: 2/23/79
McKee, DuVal & Associates Inc.
Civil Engineers & Land Surveyors
1717 York Road ~ Lan Len Building ~ Lutherville, Md. 21093



BOARD OF APPEALS
PETITIONER'S
EXHIBIT #2



FLOOR PLAN & PARKING LAYOUT

AS PROPOSED BY "

DEFENDERS OF ANIMAL RIGHTS, INC.

10th. Election District
Scale: 1" = 10'

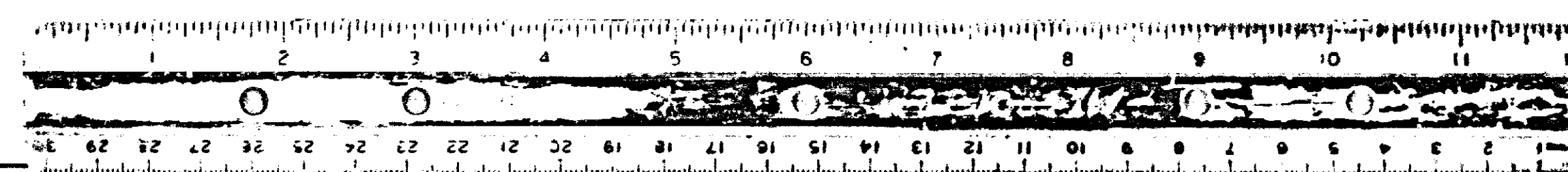
BOARD OF APPEALS
PETITIONER'S
EXHIBIT #11

Baltimore County, Md.
September 27, 1980

MICROFILMED

McKEE, OLVAL & ASSOCIATES, INC.

Civil Engineers & Land Surveyors
1717 York Road ~ Lor Lea Building ~ Lutherville, Maryland 21093





April 24, 1979

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #220 Zoning Advisory Committee Meeting, April 24, 1979
are as follows:

Property Owner: Mary Testudine, et al
Location: 1501 Old York Road 1900' N Paper Mill Road
Existing Zoning: R.C. 2 & R.C. 4
Proposed Zoning: Special Exception for a kennel, animal shelter, veterinarian and
cemetery (IDCA 79-14-X) and Variance to permit setbacks of 76' and
131' in lieu of the required 200' for an animal boarding place.
Acres: 35.811
District: 10th

The items checked below are applicable:

- X A Structures shall conform to Baltimore County Building Code (B.O.C.A.)
1970 Edition and the 1971 Supplement, State of Maryland Code for the
Handicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional miscellaneous permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an
application for a building permit.
- X F. Three sets of construction drawings with a registered Maryland
Architect or Engineer's original seal will be required to file
an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line.
Contact Building Department if distance is between 3'0" and 6'0"
of property line.
- H. Requested setback variance conflicts with the Baltimore County
Building Code. See Section _____.
- I. No Comment.
- X J. Comment: Plan does not indicate compliance with State Handicapped Code.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 23, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: April 24, 1979

RE: Item No: 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROTARIS

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER B. HAYDEN
ROBERT Y. DUBEL, SUPERINTENDENT

ALVIN LOBECK
MRS. MILTON R. SMITH, JR.
RICHARD V. TRACEY, D.V.M.

CASE NO. 80-48-XA

April 30, 1981

Mr. Reiter:

This letter is for the purpose of asking approval
for the Defenders of Animal Rights, Inc. to build
a shelter/wildlife sanctuary in Jacksonville, Maryland.
I am very familiar with the organization sponsoring
this endeavor and because of their outstanding
qualities, I know the shelter will be an asset to
the community. As a member of D.A.R. I know they are
true professionals who love animals and have set high
standards for their operation. This fine organization
is now handicapped in its humane work because it
lacks a facility.

I believe this shelter will in no way harm the commu-
nity but will rather be a positive influence in its
workings. I understand further the property is
secluded but accessible and it will definitely be
a beautiful place for all God's beautiful animals
who need shelter, care and love... all of which
they will get in large measure from the Defenders of
Animal Rights, Inc.

PLEASE MAKE THIS DREAM A REALITY!!!

Sincerely,

Helen M. Grigal
Helen M. Grigal
Founder/Artistic Director

HMG:ec

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, MD 21204

Board of Directors
Helen M. Grigal
Victor L. Grigal
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Dr. Joseph L. Barrett
Dr. Rosemary Dill, D.V.M.
Rosemary W. Greedy
H. William Mastrini
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Dr. Theodor Myers
Joan Palmer
Jeanette K. Rock
Martha K. Schoops
John D. Seyffert
John S. Tavelle
Dr. Mary Virginia S.E.D.
John R. Wachter
Donald N. Wells

Theatrical Consultant
Kenneth R. Dresser, A.I.D.

Architectural Consultant
John Francis Edwards, A.I.A.

Legal Consultant
Frank C. Meyer, Esq.

Consultants
Meyers & O'Neil, Inc.



We Sell The Earth And Anything Built On It
RESIDENTIAL • COMMERCIAL • BUSINESS OPPORTUNITIES



April 24, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

RE: Case No. 80-48-XA

Dear Mr. Reiter:

I am writing this as a concerned citizen regarding the above
referenced case. I am a member of the Defenders of Animal
Rights and I am fully aware of the conduct and actions of
the LAR. They are truly a sincere group who are doing humane
work in regards to our animals, which is something desperately
needed. I have found over the years that the Humane Society
& other organizations are not truly sincere in their efforts,
having had several very bad experiences by myself & my friends
with them.

LAR has been continually working to improve the conditions which
abide in Baltimore area and to give peace of mind to animal
lovers and to assure that animals have a place to be cared for
under the utmost sanitary conditions.

I find it very difficult to believe that there are those who
are so uncaring & perhaps "money-minded" to the point that they
couldn't care less for any project that wouldn't benefit their
pocketbook or sports activities. We need the sanctuary that
LAR wants to build; the property they obtained is the most suit-
able possible; it in no way is a health or safety threat to the
community. It contains 35 wooded areas of which 30 areas will
be preserved for wildlife sanctuary purposes.

Please help the hundreds and hundreds of caring people to proceed
with the building of the sanctuary on the property. The nearby
landowners who are raising the objections have objections that are
totally without support. If they were cognizant of the fine work
that LAR has done & their considerations where sanitary conditions
are involved, perhaps they would be more understanding & stop their
unwarranted prevention attacks.

272 THE QUADRANGLE / THE VILLAGE OF CROSS KEYS / BALTIMORE, MARYLAND 21210 (301) 323-2400
WE MULTIPLE LIST . . . LOCALLY AND NATIONALLY

To be included in
file # 80-48-XA
Testudine

Call # 80-48-XA
Zone - R-2



Mr. Walter A. Reiter, Jr.
Chairman
Board of Appeals
Old Court House,
Third Floor
Pennsylvania and
Washington Avenues
Towson, Maryland
21204

Dear Mr. Reiter:
The need for a
Kennel for God's
animals is "Great."
Where will all these
animals go if
permission is not

granted for the
purchase of wooded
site one mile north
of Paper Mill Road.

The shelter will pro-
vide a sanitary and com-
forting environment and
the best veterinary care.

It's best to get the animals
off the streets and into
a protective shelter

The Defenders of
Animals Rights are doing
a good job and will be
a positive influence in that
community.

I hope the Balt. Co.
government approves this

Letter in form of Opinion
Case # 80-48-XA - Testudine

Dear Mr. Reiter,

Enclosed, please find your
approval for Case No. 80-48-XA. I am
the animal shelter for the D. A. R.
It is needed very much, and it will not
be harmful for anyone in the region
close by. There are so many of God's
helpless creatures who need our helping
hands. So please consider them and
do your very best to have this shelter
opened to his created life, and all the
ones who really care and are concerned
about the welfare of all the animals.
I trust that the Board will have
no problem with your help.



Kinda C. Moring,
the money
(and a whole lot more)
Good friends are sunshine on a rainy day

I plead with you to approve the LAR request to build the shelter.
It will be one of the finest things you have ever done, I assure
you. All of the caring people will be ever grateful.

Sincerely,

Maria Jones
Maria Jones
Home: 9206 Swiven Place, Apt 2A
21237

"We will say"
"to all humanity"
"to all who are, be, all we can."
"to all with reason."
Some day we'll stand before his
throne, his judgment and all
that we have done, what we have done,
for his creatures, great or small.
Mary C. Frye

7803 Bagley Avenue
Baltimore, Maryland 21234
April 30, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

RE: Case No. 80-48-XA

Dear Mr. Reiter:

As a member of the "Defenders of Animal Rights", I ask you,
please, to approve their request to build a shelter and kennels
in Baltimore County. The Shelter will be in the midst of a
35 acre wooded site which will be preserved as a wildlife
sanctuary. As it will only have indoor dog runs, nearby land-
owners will not be disturbed. "DAR" has consulted veterinarians
and other professionals to be sure that the shelter will provide
the animals the best shelter and veterinary care possible.

"DAR" has always conducted its activities in a most professional
way. The landowners in the community will not be distressed in
any way. The Shelter will not be a health or safety hazard.
However, it will be a great benefit to Baltimore City and Baltimore
County, as a shelter of this type is badly needed.

You can be certain the "DAR" will be most humane in its treatment
of all animals in their care. They are concerned with doing what
it believes to be right and just in the eyes of our God.

Please Mr. Reiter approve the request of "Defenders of Animal
Rights" to build the Shelter.

Very truly yours,

Mary Roycroft
(Miss) Mary Roycroft



Helen M. Grigal
Founder
Artistic Director

RECEIVED
BALTIMORE COUNTY
MAY 5 3 05 PM '81
COUNTY CLERK
BY: [Signature]

Notre Dame Motherhouse Campus
WALTER E. ANDERSON, Executive Director
7027 Bellona Avenue • Baltimore, Maryland 21212 • (301) 377-6353
BAT is a non-profit organization

RECEIVED
BALTIMORE COUNTY
MAY 23 9 47 AM '81
COUNTY CLERK
BY: [Signature]

RECEIVED
BALTIMORE COUNTY
MAY 5 3 05 PM '81
COUNTY CLERK
BY: [Signature]

Good friends are sunshine on a rainy day

AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS, Inc.

Baltimore Co., Md.
February 23, 1979

Defenders of Animal Rights INC. (Rev. November 6, 1977)
P.O. Box 4786 (Rev. April 14, 1981)
Baltimore, Md. 21211 (Rev. June 11, 1981)

(Rev. May 15, 1975)
(Rev. August 14, 1979)
(Rev. November 6, 1979)
C. (Rev. April 14, 1981)
(Rev. June 11, 1981)

Clark Murphy, Jr.
5307/574, 4753/510

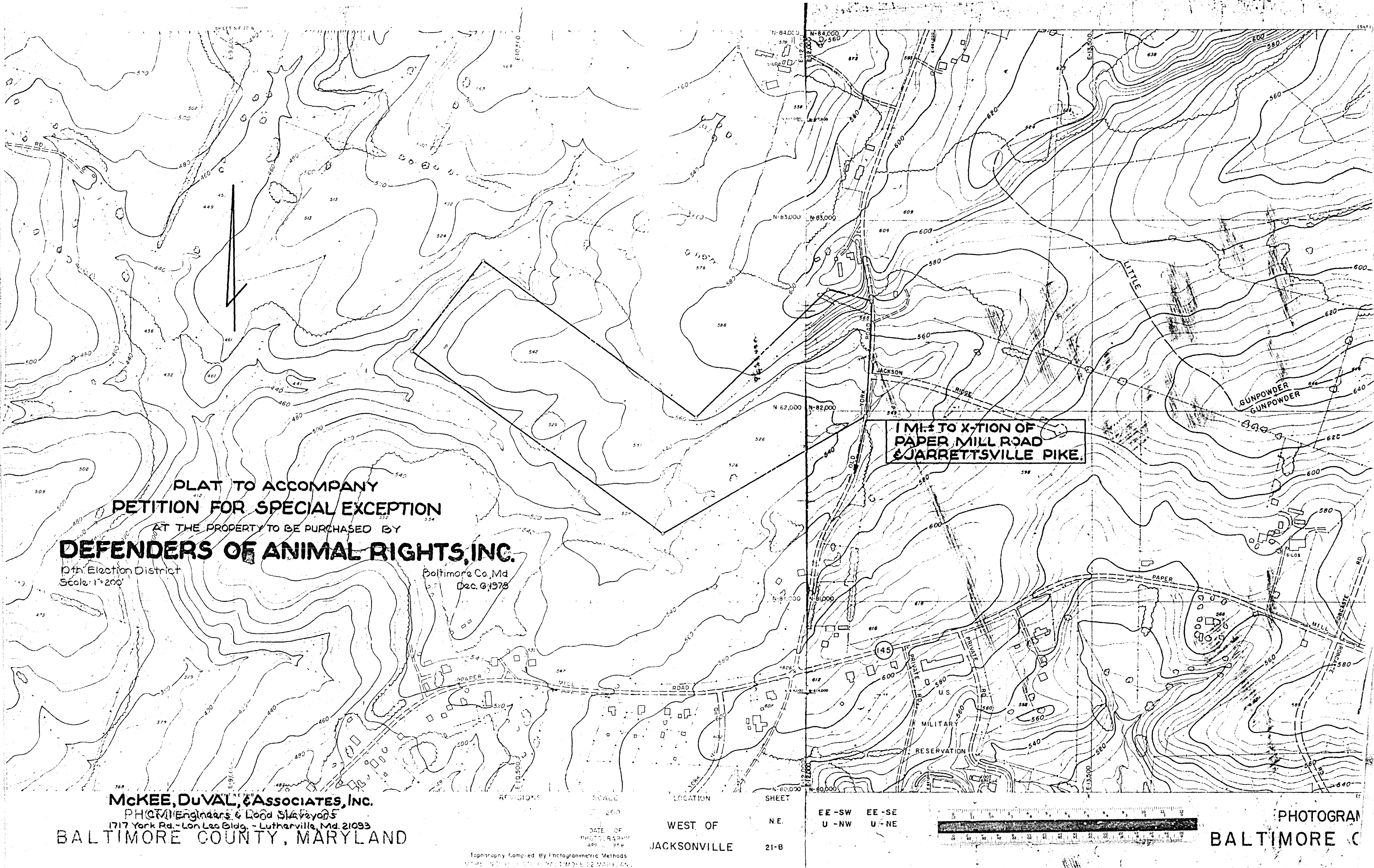
2. Request: to allow for the following uses: Animal breeding place,
Kennel and a veterinarian under Baltimore County
Zoning Regulations. See also 1A01.2C2.
3. Deed Reference: 3225/203
4. 5.12 is not relevant.

1. Total Floor Area: $70 \times 150 = 10,500$
2. No. of Space Req. = $10,500 \div 1000 = 10.5 \approx 11$ spaces
3. No. of Space Available = 36 Spaces
4. Parking to be used in parking only (36×20)

H.D. Holmes, Inc.
5251/351

McKEE, DONALD & ASSOCIATES P.C.
Civil Engineers & Land Surveyors
1717 York Road, Suite 100, Building 1, Lutheran Land, 21038

MICROFILMED



PLAT TO ACCOMPANY
PETITION FOR SPECIAL EXCEPTION
AT THE PROPERTY TO BE PURCHASED BY
DEFENDERS OF ANIMAL RIGHTS, INC.

10th. Election District
Scale: 1"=200'

Baltimore Co., Md
Dec. 6, 1978

McKEE, DuVAL, & Associates, Inc.
PHOTOM Engineers & Bond Surveyors
1717 York Rd. - Lon Lee Bldg. - Lutherville, Md. 21093
BALTIMORE COUNTY, MARYLAND

REVISIONS SCALE
DATE OF PHOTOGRAPH APR. 1966
Topography Compiled By Photogrammetric Methods
MAPS AND AERIAL PHOTOGRAPHS BY MARY L. AN

WEST OF
JACKSONVILLE

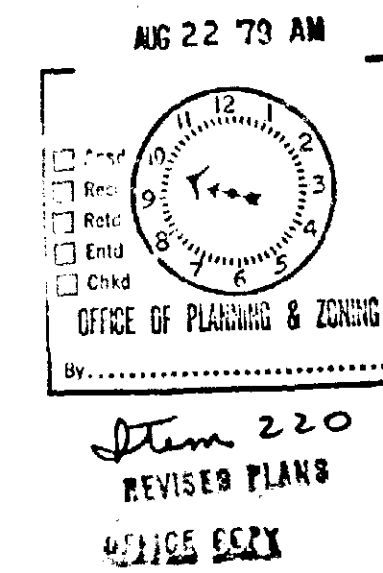
N-80,000 N-80,000

SHEET

N.E. EE-SW EE-SE
U-NW U-NE

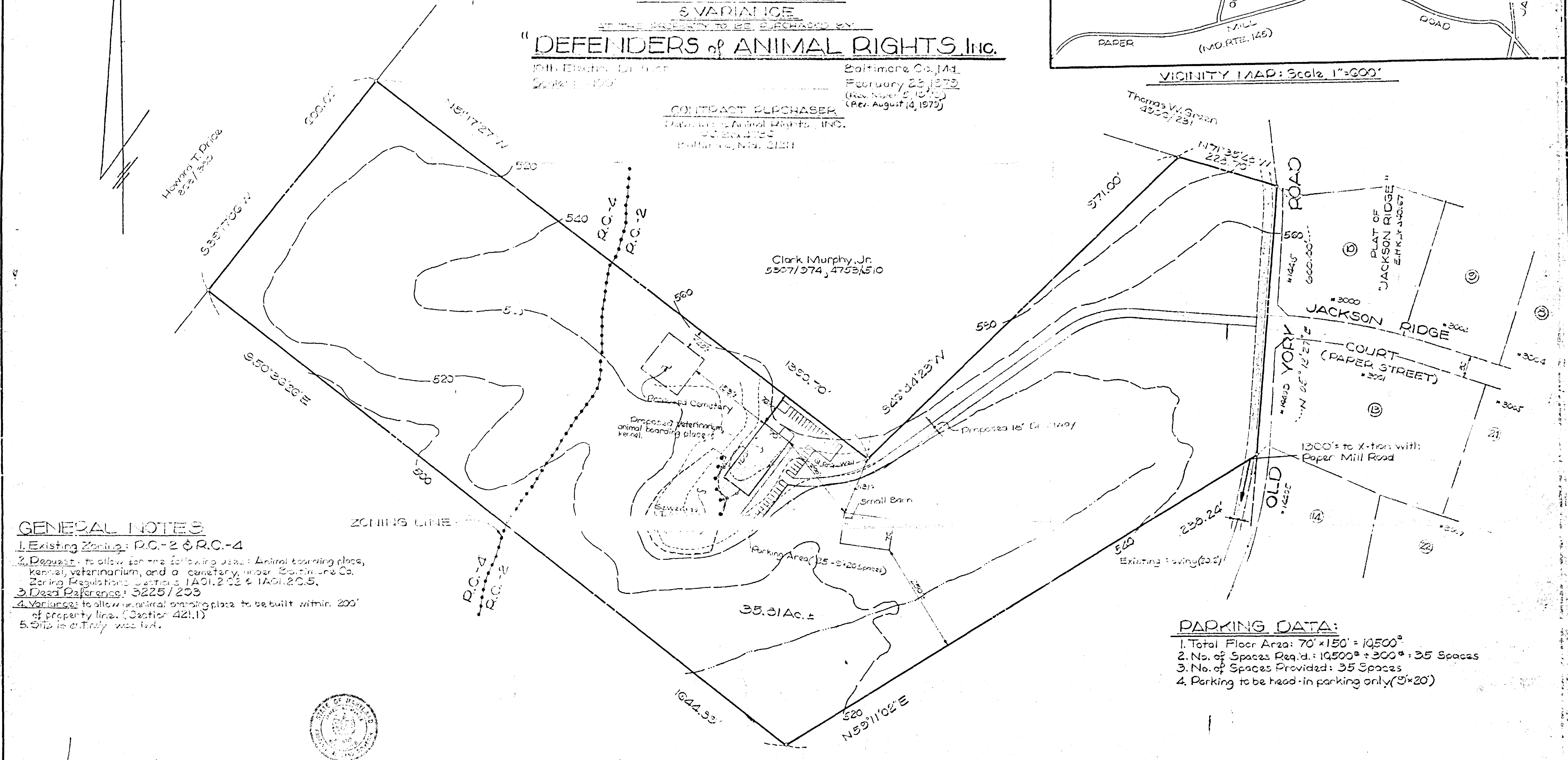
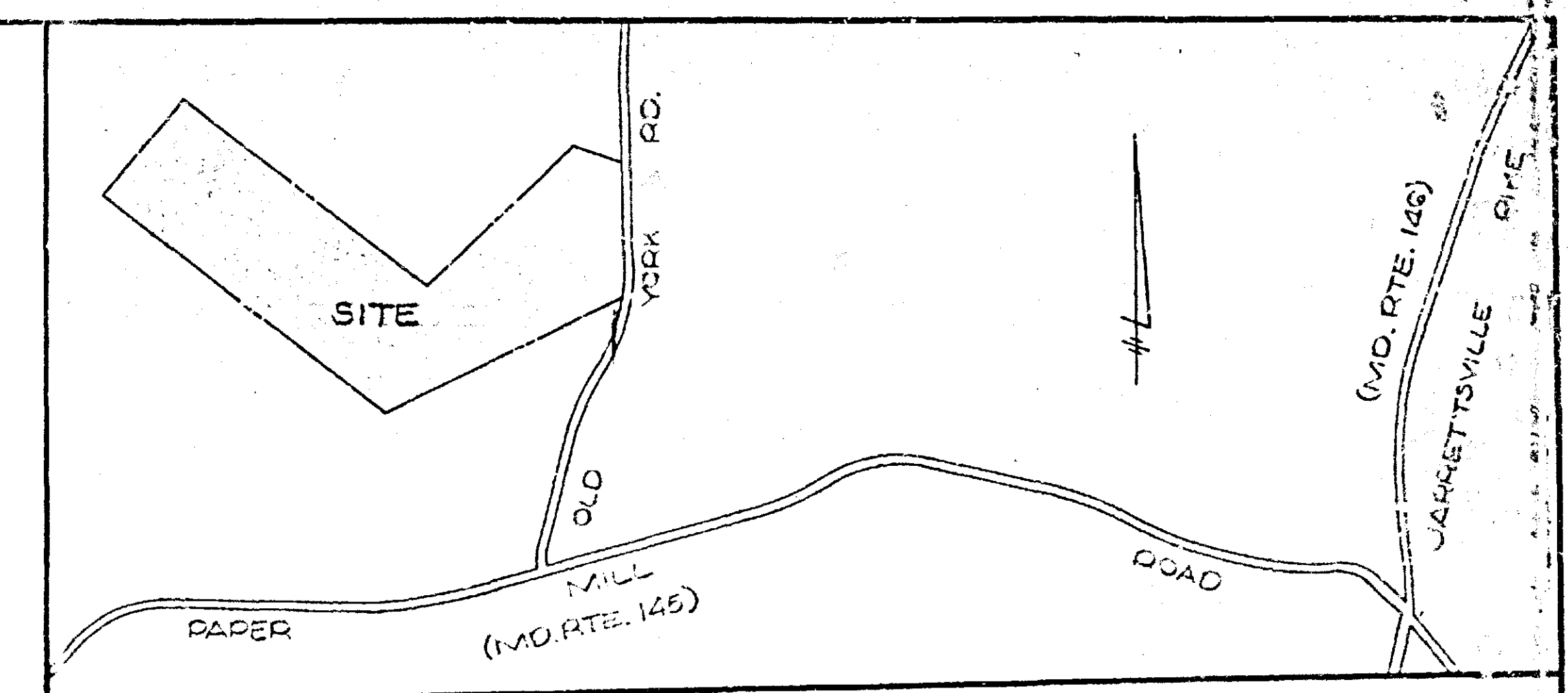
21-B

PHOTOGRAM
BALTIMORE C



PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
TO VARIANCE
AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS, INC."

10111 Elmhurst, Baltimore, Md. 21206
Baltimore Co., Md.
February 23, 1979
(Rev. August 14, 1979)
CONTRACT PURCHASER
Defenders of Animal Rights, Inc.
300 E. 34th St.
Baltimore, Md. 21211



GENERAL NOTES

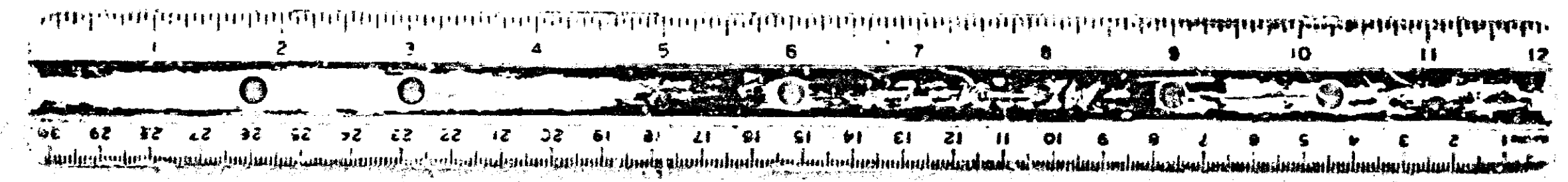
1. Existing Zoning: R.C.-2 & R.C.-4
2. Request: to allow for the following uses: Animal boarding place, kennel, veterinary, and a cemetery, under Baltimore Co. Zoning Regulations, Sections 1A01.202 & 1A01.205.
3. Deed Reference: 3225/293
4. Variances: to allow an animal boarding place to be built within 200' of property line. (Section 421.1)
5. Site is entirely wooded.

PARKING DATA:

1. Total Floor Area: 70' x 150' = 10,500^{sq}
2. No. of Spaces Req'd.: 10,500^{sq} ÷ 300^{sq} = 35 Spaces
3. No. of Spaces Provided: 35 Spaces
4. Parking to be head-in parking only (9'x20')

James W. McKee
James W. McKee
(Md. Reg. # 3012)
Date: 2/23/79
McKEE, DUVAL & ASSOCIATES, INC.
Civil Engineers & Land Surveyors
1717 York Road - Lan Lee Building - Lutherville, Md. 21093

H.D. Holmes, Inc.
5231/351



Ref. to Case No. 80-48-XA
Miss Mildred A. Hayward
6521 Woodbridge Circle
Balt. Md.
21228

RECEIVED
BALTIMORE COUNTY
APR 30 10 00 AM '81
COUNTY BOARD
OF APPEALS
BY:

Dear Mr. Reiter,
I am writing to urge you to approve Defenders of Animal Rights, Inc.'s animal shelter, case no. 80-48-XA. I feel that I am aware of the problems both parties are concerned with, as a member of the animal rights group, a nearby landowner and personal friend of the Greens who own property adjacent to the proposed animal shelter. I have worked at the Balt. County Animal Shelter on Manor Rd. and, although it is the best thing to come along for

the County's existing burden. The present animal shelter has outdoor dog runs, and the noise of dogs barking can be heard quite clearly in the surrounding countryside for miles. D.O.R. would have indoor only dog runs, preventing such noise problems. I must stress, finally, the absolute professionalism by which D.O.R. runs its show. I have worked with them for several years now and have been extremely impressed with their attitude, realism and fair class manner in dealing with animal related problems. I must say that the Baltimore County Animal Shelter, until recently (its site from City to the County) is as a pretty shabby excuse for

ref. to case no 80-48-XA
Dear Sir:

I am writing to ask you to approve Defenders of Animal Rights request to build an animal shelter/structure.

The shelter will in no way be a health threat to the community. It will house indoor-only dog runs that will prevent any noise problem. The shelter will be a model facility, the design from the advice of veterinarians and other professionals. It will be secluded from the public, situated on a 35.8 acre wooded lot.

The need for such a kennel is great, other facilities do not meet the high standards of D.A.R. Humane treatment of animals is a very important issue, it's a reflection of who we are as a people.

I am a member of the organization and an well aware, as is most of the community, of the professional way D.A.R. conducts all of its activities. The shelter would be a great place for all of us to see, especially the animals.

Sincerely,

Amy Calabrese

RECEIVED
BALTIMORE COUNTY
APR 30 10 00 AM '81
COUNTY BOARD
OF APPEALS
BY:

Ms Amy Calabrese
6811 Roberts Avenue
Baltimore, Maryland
21222

would be on. I would never mind helping to any person in need of help in a humane way. I'm sure the people of the surrounding community would soon welcome the shelter would in no way be a threat to their community. Most importantly the shelter is very badly needed in the State of Maryland. Thank you for your time.

David A. Harkins
6444 Chesapeake Ave
Pikesville, Md. 21208

April 29, 1981
Dear Mr. Reiter,
I am writing in reference to case # 80-48-XA. Defenders of Animal Rights are concerned about the plight of stray, injured and abused animals. I'm taking this time to ask you to approve the request of Defenders of Animal Rights, Inc. to open a shelter. I am a member & have had many opportunities to see the way D.A.R. operates. I have been very impressed with their efficient, business-like manner. A shelter run by Mrs. Horie

RECEIVED
BALTIMORE COUNTY
MAY 1 11 30 AM '81
COUNTY BOARD
OF APPEALS
BY:

Sincerely,
E. B. Holtz
706 Greenwood Road
Pikesville, Md. 21208
Gilda Petrick
703 Greenwood Road
Pikesville, Md. 21208

Dear Mr. Reiter:

Baltimore County has already given Defenders of Animal Rights, Inc. approval to build a Wildlife Sanctuary and animal shelter, open 24 hours-7 days each week (NEVER CLOSED) on the 35 wooded acres--see case number 80-48-XA.

Please do not let the greed and avarice of a few nearby landowners deprive our animal friends of equal justice for all. I am sure God meant animals as well as humans.

These 35 acres, as a sanctuary and shelter would be an asset to the area, operated as it will be by Defenders of Animal Rights--with ONLY indoor dog runs it will be a model facility in layout and daily operation, there is NOTHING in Baltimore County that can compare to D.A.R.'s plans for this shelter.

Having a Wildlife Sanctuary and animal shelter next door would be preferable to another development or shopping center with all the additional noise and traffic, not to mention additional taxes for the necessary services they would need.

Mr. Reiter, please do not allow the permission, already given to Defenders of Animal Rights by the Baltimore County government, to be withdrawn. Your help will be greatly appreciated by all D.A.R. members and friends.

Thank you very much.

CASE # 80-48-XA

29 April 1981

Sandra Barton
2111 Second Ave.
Baltimore, Md. 21224
April 28, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

Dear Sir,

I am writing to you concerning case no. 80-48-XA. I would like you to approve the request of Defenders of Animal Rights, Inc. to build an animal shelter. The shelter would be located on the 35.8 wooded acres. Over 30 of these acres will forever be preserved as a wildlife sanctuary. Therefore the shelter would pose no health or safety threat to the community and would be a nuisance to no neighbors. The all dog runs would be indoors and therefore eliminate any noise problems.

I am a member of Defenders of Animal Rights, Inc. and I feel the shelter is very much needed and would be an asset to the area. Defenders of Animal Rights, Inc. is very professional.

1600 1/2 Alltham Ct
Lutherville, Md. 21093
April 29, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, 3rd Fl.
Pennsylvania & Washington Aves.
Towson, Md. 21204

Dear Mr. Reiter:

Re: Case No. 80-48-XA

I am writing to ask that you approve the Defenders of Animal Rights, Inc. request to build our shelter. As a member of this organization I am aware of the professional way Defenders of Animal Rights conduct all its activities. Mary Jo and Jim Horie are two dedicated people and they would never approve any project that would be a health or safety threat to the community. The need for our kennel is great as other facilities do not meet our high standards and I have no confidence in them. I would entrust the animals to Defenders of Animal Rights, but without a facility, we are severely handicapped in carrying out our humane work.

This property is very secluded and yet very accessible, this is important! The community can only benefit. Again, thank you. Sincerely,
Carol M. Blohm

5200 Old Harford Rd.
Baltimore, Md. 21214
April 29, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania & Washington Avenues
Towson, Maryland 21204

Reference: Case No. 80-48-XA

Dear Mr. Reiter,

I am writing to request that you approve Defenders of Animal Rights request to construct an animal shelter on the Jacksonville property which they presently have under contract.

The planned shelter would not be a health or safety threat to the community especially when you consider the fact that the shelter itself would be secluded in the midst of 35 wooded acres. Over 30 acres would be preserved as a wildlife sanctuary. This facility would shelter homeless animals which would be providing a service to the public and would help to reduce Baltimore

NOTE:
I CERTIFY THAT THIS PLAT HAS BEEN
PREPARED UNDER MY DIRECT SUPERVISION.
JAMES W. MCKEE
DATE: 4/21/81



Scale: 1" = 200'

MCKEE, DUVAL & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

LUTHERVILLE, MARYLAND 21033

Telephone: (301) 252-8830

April 23, 1981

PROPERTY OWNERSHIP INDEX

TO ACCOMPANY PLAT ENTITLED "PLAT SHOWING THE SURROUNDING
OWNERSHIP OF THE PROPERTY TO BE PURCHASED BY THE
DEFENDERS OF ANIMAL RIGHTS, INC."

"Jackson Ridge" Subdivision

Lot 14 - 14405 Old York Road - James A. McConnell - 6089/289
Lot 16 - 14401 Old York Road - C. W. Miller
Lot 17 - 3010 Paper Mill Road - Charles E. McCormick - 5782/013
Lot 18 - 3100 Paper Mill Road - Phil Deideman - 5773/302

"Fox Woods" Subdivision

Lot 1 - 2936 Paper Mill Road - Myo Thant - 5960/860
Lot 2 - 2930 Paper Mill Road - Richard M. Zinkhan - 5898/774
Lot 3 - 2924 Paper Mill Road - Richard A. Wilkerson - 5554/573
Lot 4 - 2918 Paper Mill Road - H. E. Homes, Inc.
Lot 5 - 2912 Paper Mill Road - Jerome J. Nowicki - 5483/073
Lot 6 - 2906 Paper Mill Road - M. Arwar - 5572/154
Lot 7 - 2900 Paper Mill Road - David S. Collins - 5547/341

P. 13 - Clarke Murphy, Jr. - 5307/974
P. 26 - "Koch Property" - 13110
P. 67 - Joseph L. Bromwell - 6002/248
P. 73 - Baltimore County, Maryland - 5636/561
P. 76 - Richard S. Perry - 3659/170
P. 78 - Amelia F. Streett - 2661/460
P. 101 - Richard F. Davis - 5404/377
P. 122 - A. John Jones, Jr. - 5383/899
P. 124 - Betty L. Jaffray - 6039/691
P. 166 - Royston P. Turnbaugh - 3336/121

Page Two
Property Ownership Index
Defenders of Animal Rights, Inc.
April 23, 1981

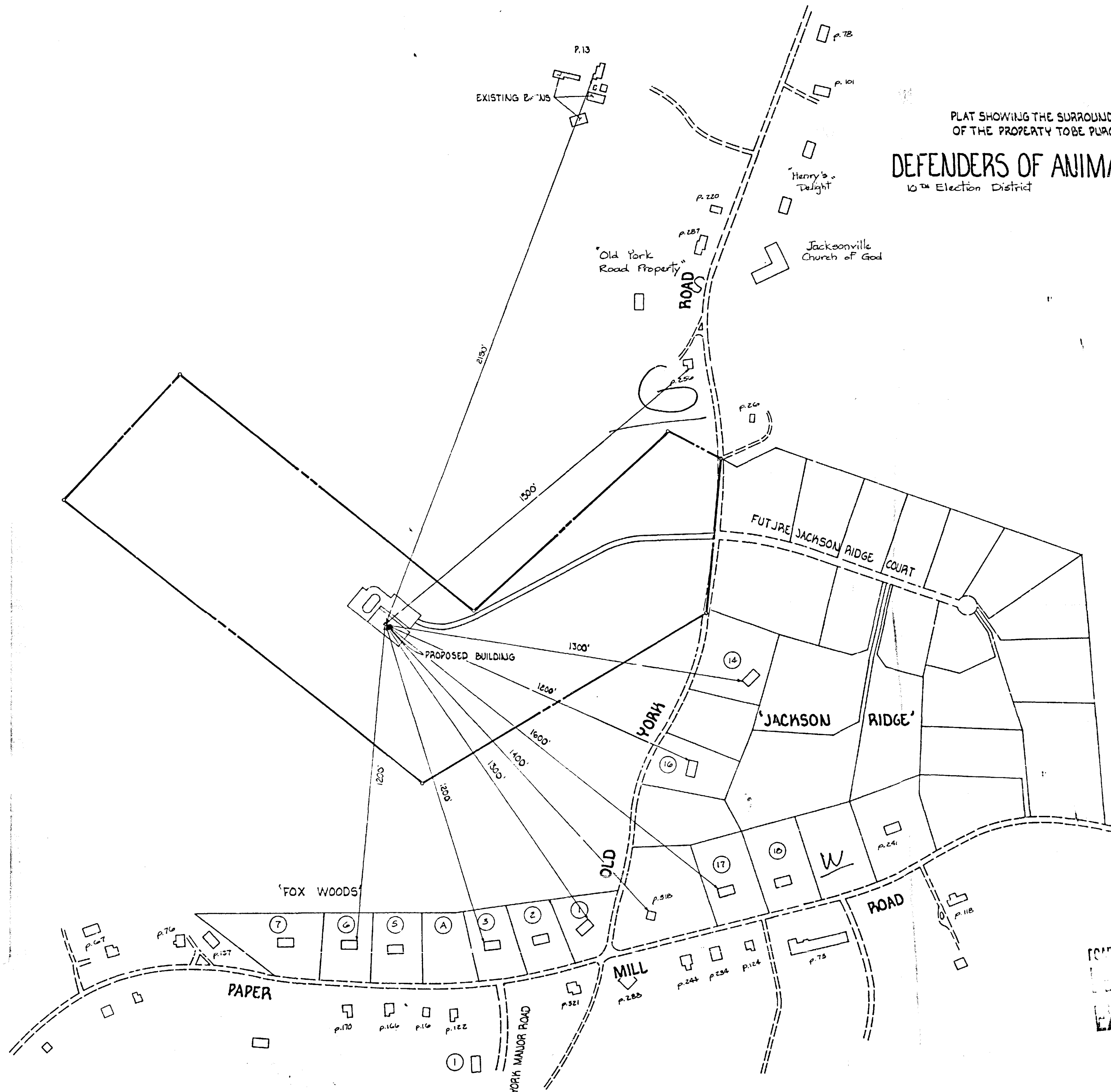
p. 170 - John E. Swift - 1633/355
p. 220 - Lewis H. Zinkhan - 5913/219
p. 234 - Carl E. Schumate - 4713/324
p. 241 - Bradley G. Moore - 4704/321-5812/160
p. 244 - David H. Storf - 5618/208
p. 256 - Thomas W. Greene - 4996/231
p. 288 - Carolyn D. Waters - 5253/678
p. 318 - C. W. Miller - 4989/675
p. 321 - Manorcraft Homes, Inc. - 5777/259

PLAT SHOWING THE SURROUNDING OWNERSHIP
OF THE PROPERTY TO BE PURCHASED BY THE

DEFENDERS OF ANIMAL RIGHTS, INC.

10th Election District

April 21, 1981

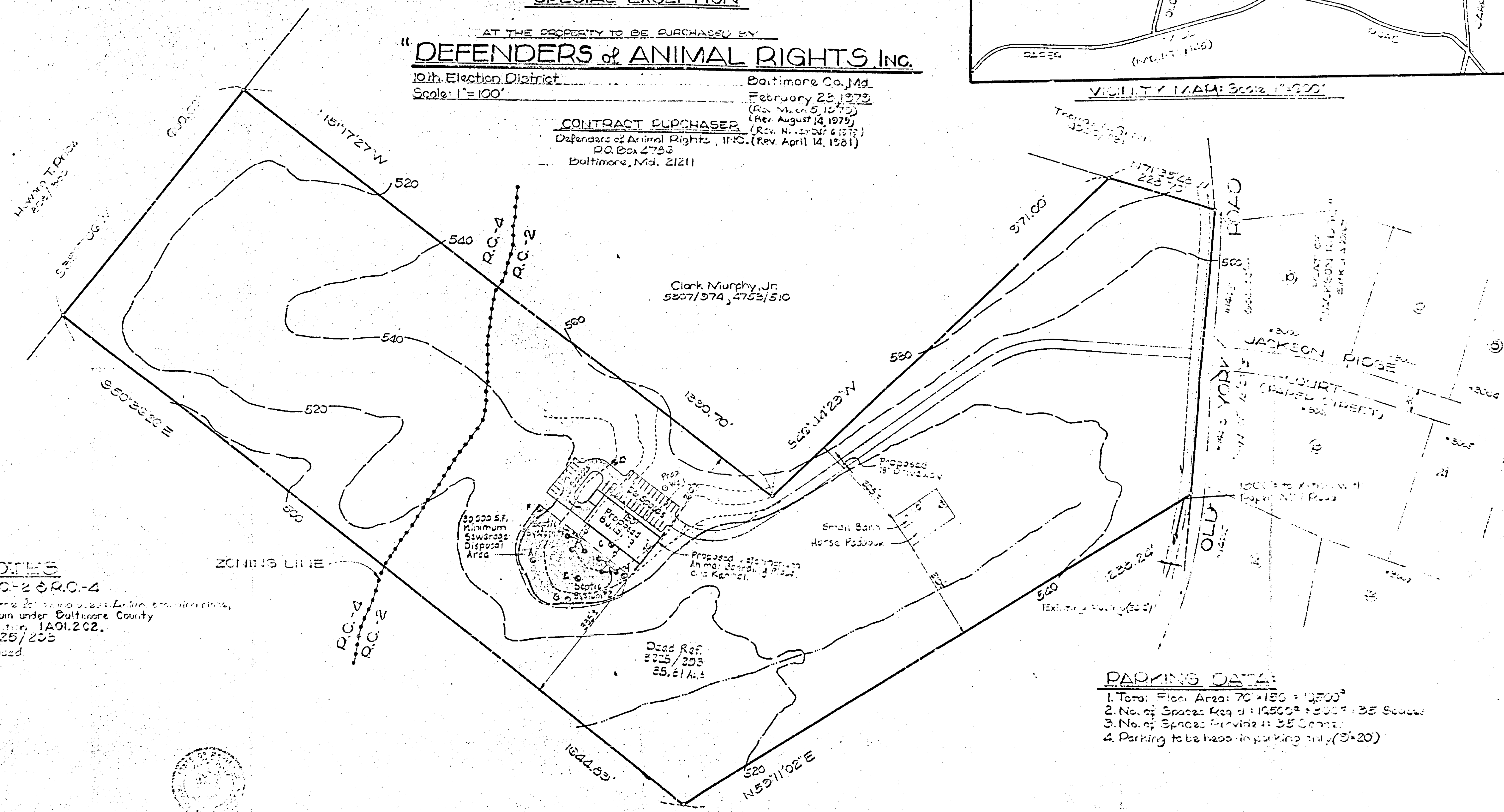
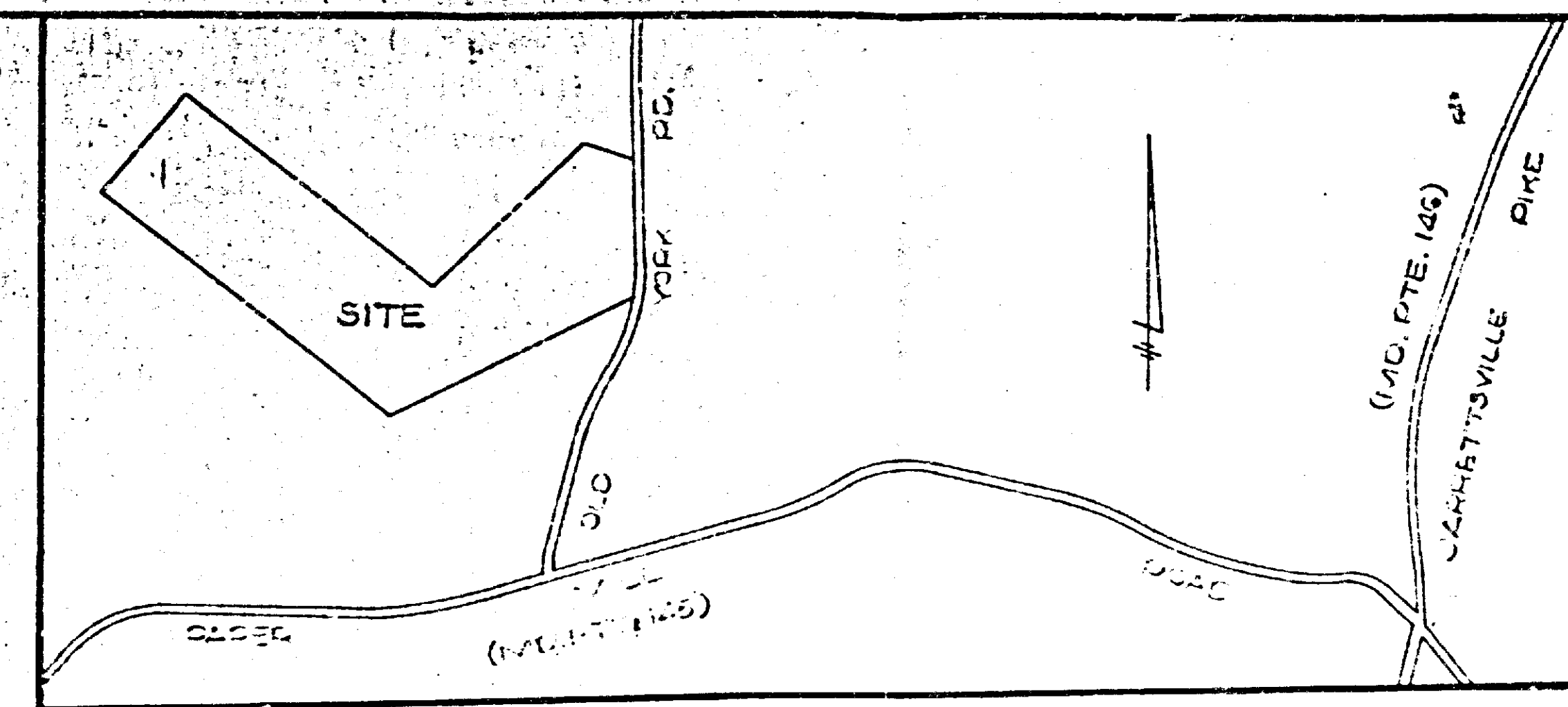


PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION

AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS INC."

10th Election District Baltimore Co., Md.
Scale: 1"=100' February 23, 1979
(Rev. March 5, 1975)
(Rev. August 14, 1979)
(Rev. November 6, 1979)
(Rev. April 14, 1981)

CONTRACT PURCHASER
Defenders of Animal Rights, INC.
P.O. Box 4753
Baltimore, Md. 21211



GENERAL NOTES:

1. Existing Zoning: R.C.-2 & R.C.-4
2. Request to allow for the following uses: Animal training place, kennel, and a veterinary under Baltimore County Zoning Regulation Section 1A01.202.
3. Dead Reference: 2225/223
4. Site is entirely wooded.

PARKING DATA:

1. Total Floor Area: 70' x 150' = 10,500'
2. No. of Spaces Req'd: 10,500' ÷ 300' = 35 Spaces
3. No. of Spaces Provided: 35 Spaces
4. Parking to be held in parking only (3' x 20')

J. W. McKee
James W. McKee
(Ind. Reg. # 0012)
Date: 2/23/79

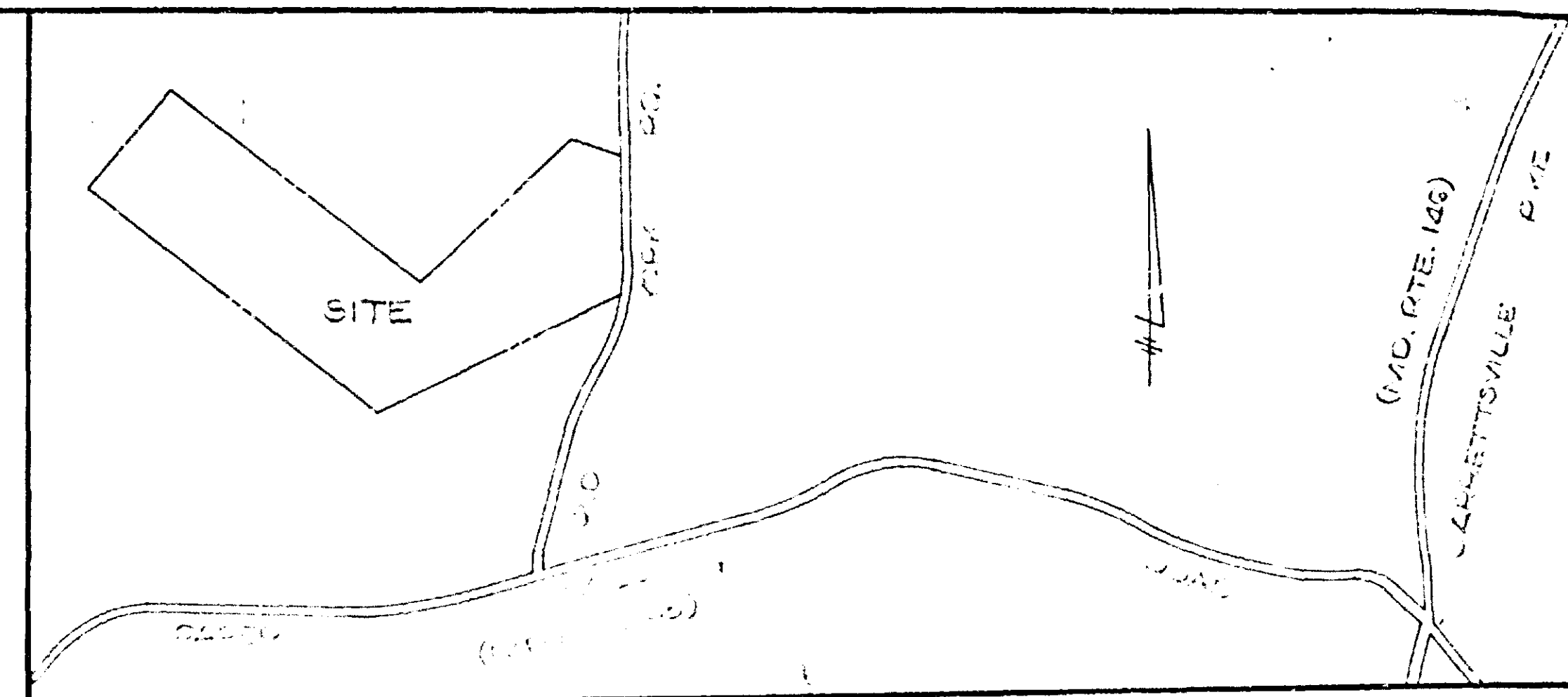
H.D. Holmes, Inc.
5251/351

McKee, Duval & Associates, Inc.
Civil Engineers & Land Surveyors
107 York Road on Lea Building - Lutherville, Md. 21092

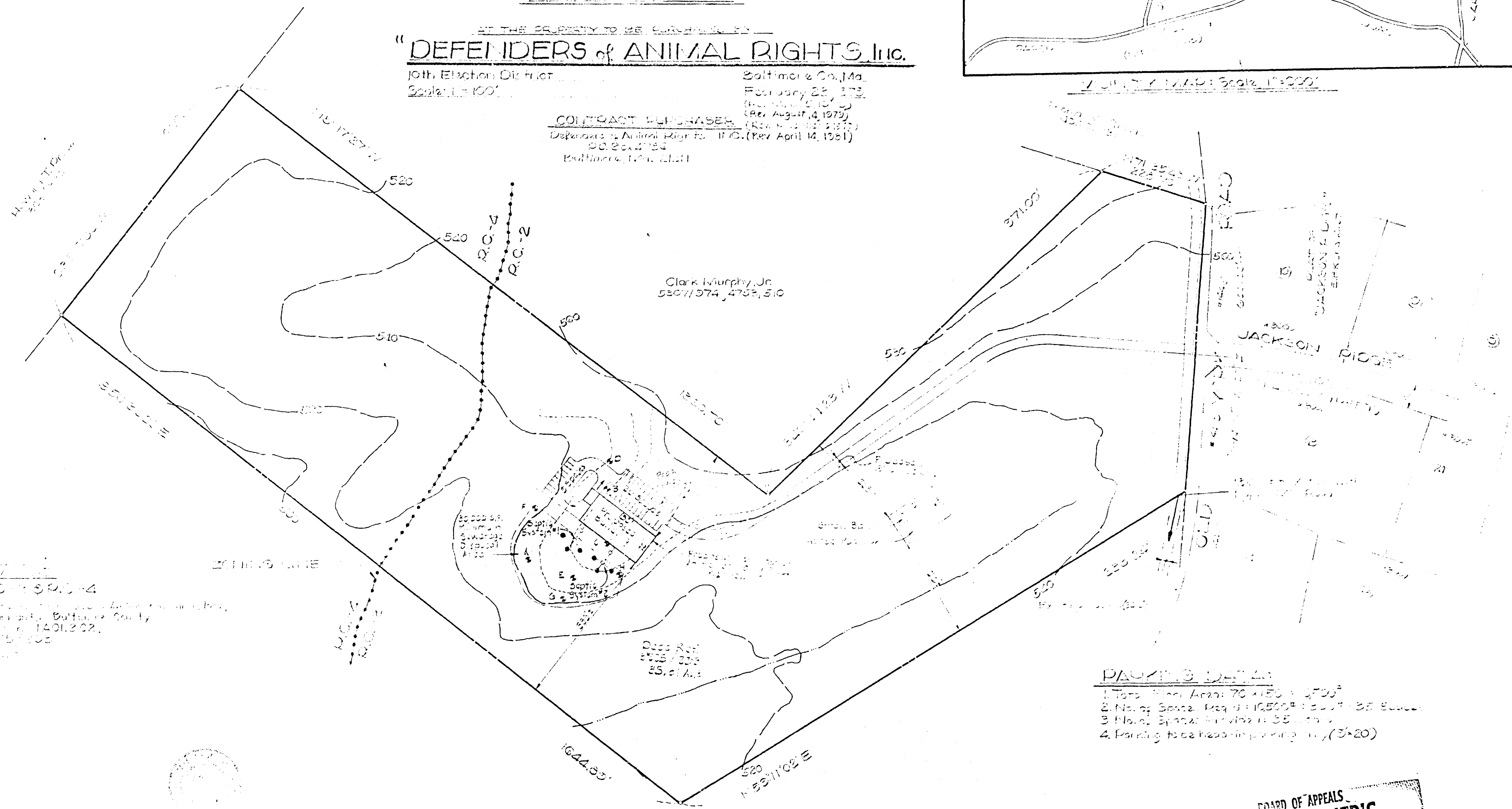
AT THE PROPERTY TO BE PURCHASED BY
"DEFENDERS of ANIMAL RIGHTS, Inc."

Baltimore Co., Md.
February 23, 1973
(A. M. C. 51015)
(Rev. August 4, 1972)

CONTRACT PURCHASES (Rev. August 14, 1979)
Dependence on Animal Rights Int. (Rev. April 14, 1981)
00-20-4788
Baltimore, Md. 21201



W. J. H. & M. A. P. : Scale 1"=500'



3. Response to the letter by the County of Baltimore, Maryland, dated 12/10/2002.
4. Response to the letter by the County of Baltimore, Maryland, dated 12/10/2002.
5. Response to the letter by the County of Baltimore, Maryland, dated 12/10/2002.
6. Response to the letter by the County of Baltimore, Maryland, dated 12/10/2002.

1. Total Area: $70 \times 150 = 10500$
2. No. of Sprinklers: $10500 \div 3500 = 3$ Sprinklers
3. No. of Sprinklers provided is 35
4. Remaining to be provided is $35 - 3 = 32$

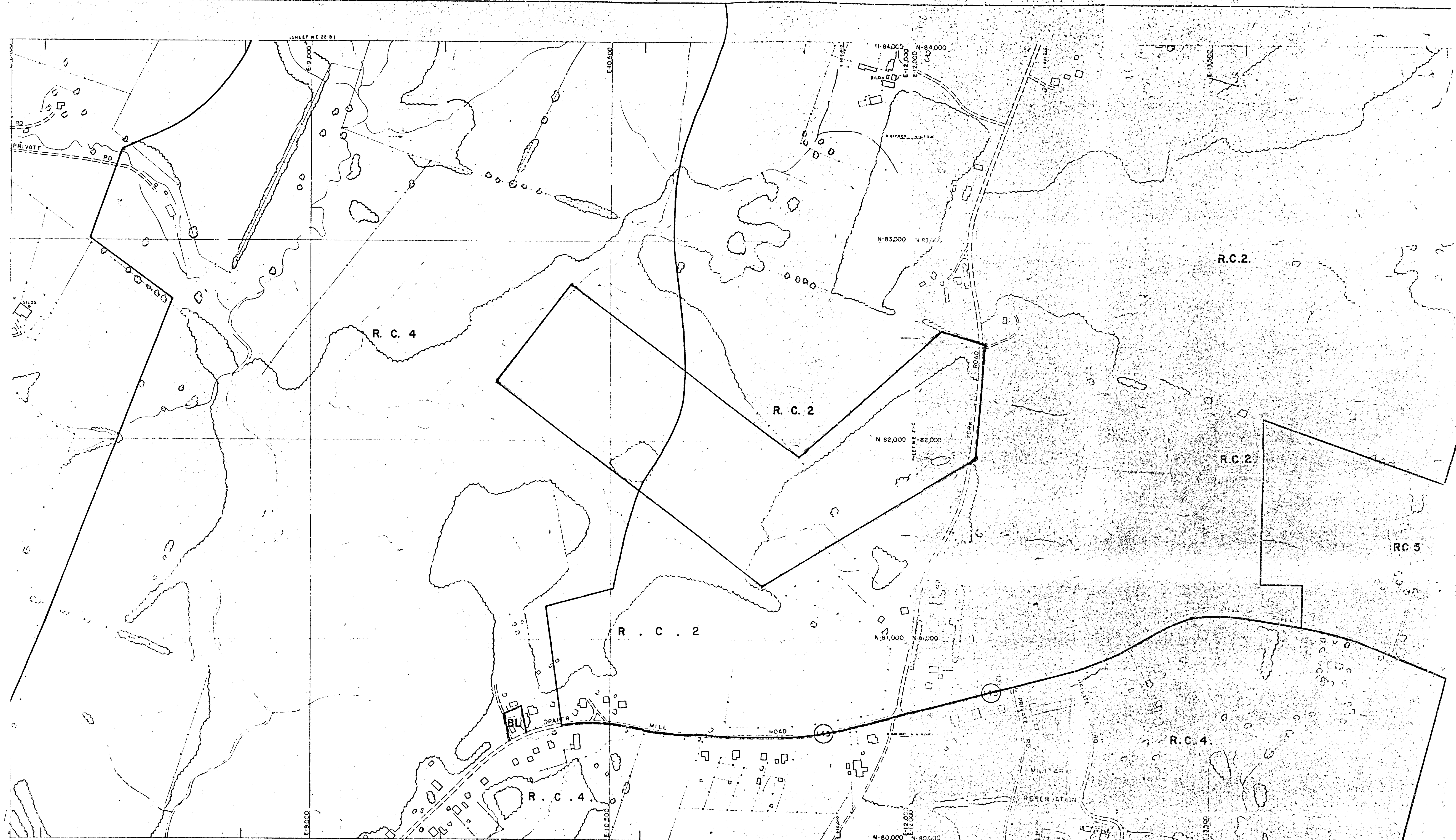
H.D. Holmes, Inc.
5251/351

MACKEE, L. H. & ASSOCIATES INC.

Civil Engineer License No. 22, 12
1717 York Avenue, New York, N.Y. 10012

BOARD OF APPEALS
PETITIONER'S
EXHIBIT 4

士



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY, MARYLAND
OFFICIAL ZONING MAP

REVISIONS		
BY	DATE	
Compiled By Photogrammetric Methods MAPS, INCORPORATED - BALTIMORE 22, MARYLAND		

SCALE
1" = 200'
DATE OF
PHOTOGRAPHY
APRIL 1958

LOCATION
WEST OF
JACKSONVILLE

SHEET
EE-SW EE-SE
N.E. U-NW U-NE
21-B

1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
BILL NOS. 103-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

BALTIMORE COUNTY COUNCIL

PHOTO
BALTIMORE
OFFICE

PLAT TO ACCOMPANY
APPLICATION FOR
PERCOLATION TEST

FOR
PROPERTY OF
"DEFENDER OF ANIMAL RIGHTS"

10th Election District Baltimore County, Maryland
Scale: 1" = 100'
January 12, 1979
(Rev. Feb 23, 1979)

*Note: Complex shall be served by 2 separate sewerage disposal systems: One will service the employee's facilities and one will service the animal facilities.
Each system shall consist of the following items: 1) 1-1500 gal. septic tank; 2) 1-Distribution box; 3) 3-10' x 10' high seepage pits (w/ B.V.F. below inlet pipe).

Sewerage
Disposal Area
(25,500 sq)

Drop Well

Prop. 18' Driveway

Deed Plat.
3225/293
35.340±

JACKSON RIDGE
COURT
(rear street)

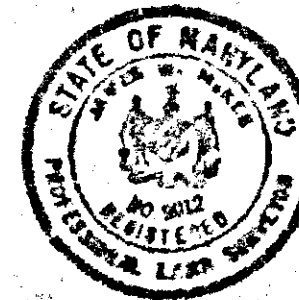
OLD

1 Mile to intersection
of Paper Mill Road
& Jarrettville Pike.

James W. McKee

James W. McKee
Md. Reg. # 5012

1/12/79
Date:



McKEE, DUVAL & ASSOCIATES, INC.
Civil Engineers & Land Surveyors
1717 York Rd. - Lan Lea Bldg. - Lutherville, Md. 21023
252-5820

Pet. Exp. 2





RECEIVED
BALTIMORE COUNTY
MAY 11 10 37 AM '81
COUNTY CLERK
BY: *[Signature]* ALB

*Returned to me -
J
sent on May 1, 1981*

Dear Sir,
 I have nothing to say to you at present, but I am sure you will be very kind to let me know when you will be in the city, so that I may be able to see you. I am, Sir, your obedient servant,

DEAR SIR

Defenders of Animal Rights Inc. wants to
bring a Animal shelter in Jacksonville.
Any And All Help dealing with humane
treatment And care of strays, Injured Animals
Animals Injured in Carney Cases etc. Better to
have them using either ligatures or the other
And several have been stepped for various reasons
these people using other and find that they
Compassion just want the in a safe place you
have people that whenever a stray, you must
know that they care, Give them all a chance

RECEIVED
 ALBANY CO. N. Y.
 JAN 3 3-PM '86
 OCTOBER 18
 1885
 BY _____

Therefore, the relative of
the D & S. is kept well up
of an even standing, but none
of the best a speaking, - especially
since they are so readily
separated by more and more
a the vicinity of the new-
-very much - and the
all slower - and the
galvanized products of the
Galvanic Company
There will be some
the same of the same

Elizabeth T. Littleton
2710 Monkton Road
Monkton, Maryland 21111

4/22/81

Dear Mr. Leiter,

I am writing you on the -
day of the Defender of Rights
Fight, Inc, as a member of

April 22, 1981

David Kratky
44 Ojibway Rd.
Randallstown, MD 21133

Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania & Washington Aves.
Bosson, MD. 21204

Refer to Case No. 80-18-YA

Dear Mr. Reiter:

I am a member of the Defenders of Animal Rights. I would appreciate your favorable consideration of the organization's proposal to build an animal shelter near Roper Mill Road and Old York Road in Baltimore County. This shelter would in no way be a health or safety threat to the community. The shelter would be in the midst of 35 wooded acres, 30 of which will be preserved as a wildlife sanctuary. The Defenders of Animal Rights, as an organization, conducts all its activities in the highest professional manner. It has consulted with veterinarians and other animal care professionals regarding this combination shelter and wildlife sanctuary. The shelter will have indoor-only dog runs. It will provide a sanitary environment for the dogs. It will provide the very best in veterinary care. In short, Mr. Writter, this project will be an asset to the county. It will provide facilities and services unmatched by any other animal care organization, public or private. I hope you agree.

Sincerely,

David Frutky

RECEIVED
BALTIMORE
APR 23 9 40 AM '61
COMM. DIV.
BY *[Signature]*

Mrs. Fay Andrews
1018 St. Albans Road
Baltimore, Maryland 21239

April 22, 1981

April 22, 1981

Mr. Walter A. Reuter, Jr.
Chairman, Board of Appeals

Dr. M. N. Reiter,

Please approve Defendants of Animal Rights, Inc.'s request to build an animal shelter near Jordanville, Md. case no. 80-48-xa. This shelter is badly needed and cannot be either a health or safety threat, as it will be built in a secluded area, in the middle of 35+ wooded acres. The shelter will have no indoor dog runs, so there can be no noise problem. It will be a model facility and will provide a seminary and comforting environment for the animals.

D.A.R. must have a shelter to carry on its hamov work, the need for this kennel is great. There is no other property available to D.A.R. as excluded as this asset,

JAMES HARVEY ROWLAND JR.
BOX 613
SPARKS, MARYLAND 21152
9/20/81

D. R. K. R. R. R. R. R.
D. R. K. R. R. R. R. R.

) hope you will approve DRR's request to build an animal shelter near Jacksonville.

) In addition to it being an enormously worthwhile cause, such a project would preserve a large tract from development.

) I lived on the edge of Loch Raven, north of Seminary Ave., & would have been pleased to have such an installation nearby. Instead, we had beer blasts, motorcycles, ever increasing traffic, etc.

) now live near Butler & again would welcome this project.

JAMES HARVEY ROWLAND JR.
BOX 613
SPARKS, MARYLAND 21152

These good people have taken every possible step to prevent any negative impact on the environment or ~~my~~ neighborhood.

The number of abandoned
lost, sick or injured animals
continues to skyrocket.

They deserve a must
have a hospice.

Respectfully

Henry Ford

RECEIVED
BALTIMORE MD
APR 23 9 53 AM '81
CCH
BY G. J. H. H. H. H.

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

RE: Case No. 80-48-XA

Dear Mr. Reiter:

As a long time member of Defenders of Animal Rights, I am writing to you today in regard to the Shelter/Wildlife Sanctuary which hopefully will be a reality some day.

The Shelter will in no way be a health or safety threat to the community. It is away from the public hidden in the midst of 35 wooded acres. Thirty of those acres will always be preserved as a Wildlife Sanctuary. The Shelter will have indoor-only dog runs, thus preventing any noise problem. The Shelter will provide a sanitary and comforting environment to the animals who will be afforded the best of veterinary care.

As a member I am aware of the professional way Defenders of Animal Rights conducts all its activities. The need for the kennel is great. Other facilities do not meet DAR's high standards, so I don't really have any confidence in them. Without a facility like this we are really handicapped in carrying out our humane work. I can't imagine how nearby landowners could have any objection to a project like this. It could be a whole lot worse.

I know this letter is long so I won't hold you up -- but would you please approve my request to build our shelter.

Sincerely,

Fay Andrews

Fay Andrews

RECEIVED
BALTIMORE
APR 22 9 45 AM '61
COMMUNICATIONS
BY TELETYPE

FA

April 22, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

Dear Mr. Reiter:

I am writing to ask you to support the
Defenders of Animal Rights request to
build an animal shelter, pet care center,
on a wooded site on Hillside Dr. west
of Jacksonville. I am referring to Case
No. 80-48-XA. I am a member
of Defenders of Animal Rights and am
sure they will conduct their activities
in a professional way. It will be a
model facility with high standards,
taking care of the animals in a very
human way. The shelter will not

(over)

April 21, 1981

Dear Mr. Reiter,
I am writing to you for help to
secure space (Case # 80-48-XA) for the
animal shelter. Many here is no space
suitable for the animals of this
shelter.

There are 150 dogs in the
houses of animals here. The people &
the animals are in a bad way. This
shelter would be in about 1000 sq. ft.
which is a very small space. I cannot
believe anyone would protest
over a good cause. They have had
animals and dogs for years. The
animals are not for the public.
This is not going to be some factory
with noise and pollution. It will be
clean & no noise, no sanctuary!

Defenders of Animal Rights is growing
and for a very long time. Some
people still are about animals & they do
have rights.

So many people live in the area
but do nothing and hope someone else
will help. They pass the buck. It
needs all of us. There's too much cruelty
to animals who deserve. Let's do
something right. Please help us.

Thank you.
Mrs. Ann C. Warner

April 22, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Dear Sir:

I'm interested in your approving the
Defenders of Animal Rights request to build
a shelter on land one mile west of Jacksonville, Md.
I understand that the county approved the
construction but nearby landowners have filed
an appeal. The land seems to be a very
secluded wooded area that would afford
a perfect wildlife sanctuary and at the same
time wouldn't bother the public. I'm sure
from past experience with the Defenders of
Animal Rights that they will provide a
model facility for their humane work. I
have been a home owner in the Woodlawn
Section of Baltimore County and at my present
address for twenty years.

Sincerely yours
Joseph E. Rawson
2025 Hillside Dr
Baltimore, Md 21207

THE CASE No. is 80-48-XA

5524 Channing Rd.
Baltimore, Md 21204
April 22, 1981

Dear Mr. Reiter,

In reference to case no. 80-48-XA
which concerns the building of an
animal shelter by Defenders of Animal
Rights, this shelter and sanctuary
is badly needed.

The shelter will save in-
door dog runs thus eliminating noise.
The D.A.R. has the highest standards
and would not construct anything
that would be detrimental to the
health or safety of the community.
The proposed site is in a secluded
area and is an ideal location.

Thank you on behalf of all
animals for your consideration and approval.

Sincerely,
Joseph E. Rawson
2025 Hillside Dr
Baltimore, Md 21207

April 23, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Md. 21204

Dear Sir:

There is no reference to Case No. 80-48-XA.

I would like to ask you to please approve
the request to build an animal shelter. I am
a member of Defenders of Animal Rights, Inc.

This shelter will not be a threat to any
way of life. It will be a safety for the community.
It will be located away from the public in
a wooded area. It will be a sanctuary for
the homeless animals. Dog runs will be
eliminated which prevents a noise problem.

Veterinarians and other professionals
have given their advice in designing the
shelter. The shelter will be a sanctuary and
providing a warm environment for the animals who
will get the best veterinary care.

The need for this shelter is great.
Our facilities will meet high standards
without noise or pollution. It is a relief to
be assured that humane work will be done
and the animals will be safe and healthy.

It is difficult to understand why the

CAJ:jso

Carle A. Jackson
10th Floor, 100 E. Pratt Street
Baltimore, Maryland 21202

April 23, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Md. 21204

Dear Mr. Reiter:

I have been interested for sometime in the
Defender of Animal Rights, Inc. You have an
appeal before your Board for permission to
construct a kennel on the property of which they
have an option in Jacksonville, Md.

In accordance with the study I have made, the
zoning "RC-2" is in order and they have complied
with all the requests of the adjoining property
owners.

I believe this is a necessary facility and
the Defender of Animal Rights would appreciate a
favorable report from the Board of Appeals and a
granting of the permit.

Respectfully submitted,

Carle A. Jackson

RECEIVED
BALTIMORE
APR 23 1981
OFFICE OF THE
CLERK OF THE
BOARD OF APPEALS
21204

line them up and to
provide a place for them
to live. I am writing to
provide more shelter housing.
more money of new in-
necessary commensurate
in this area.

I come from an area that
grew so rapidly that it
quickly displaced all
land use. I refer to Chicago
specifically. I do not want
this to happen here. I do not want
to see such an example
supplied in this area.
A kennel can be built on
open areas, but I suppose
provide a humane and nec-
essary service.

April 22, 1981

Mr. Walter A. Reiter Jr.
Board of Appeals
Towson, Md. 21204

Dear Mr. Reiter:
Mrs. Griesinger are writing you regarding
case No. 80-48-XA involving persons
against Defenders of Animal Rights, Inc.
We feel that there is no earthly reason
for it not to be there. Since it
would be situated quite far off the
road in middle of 35.5 acres.

This dedicated couple (home-owners
themselves) would never wish to provide
other neighbors' properties. Also the
animals would not be heard since
they will be enclosed always.
We hope you will consider this
as a worthwhile cause. Appreciate.

Very Sincerely,
Dorothy H. H. H. H. H.
Pawtucket, Md. 21202

humane supporters of their
you so much a shelter in
Baltimore County (Case 80-48-XA)
I am writing to you to support
I have depend the amount
of a kennel, humane shelter
for the care of animals. I
strongly support this animal.
I have found severe injury of
found them for them. I
receive from Baltimore County
see the kennel or more for
and I consider 4 days a taking
inadequate space of time to
find the amount for finding
homes, the I deeply appreciate
the effort of 1000 for the
every day and I have seen a re-
sulting in being.

yet eminently accessible. As the price
of land becomes more expensive each
day, there may never be another
opportunity to build a shelter of this
size is best.

This type of shelter can only be
a positive influence on the community
& all people in the area.

Sincerely,
Madeline + Bill Daywalt
603 Bayler Rd
Glen Burnie Md
21061

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BALTIMORE COUNTY
APR 23 9 5 AM '81
OFFICE OF THE
CLERK OF THE
BOARD OF APPEALS
21204

HELMORE FARM
601 GREENSPRING VALLEY ROAD
BROOKLANDVILLE, MD. 21022

EDGAR M. LUCAS

1001-101-0779

April 22, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

Re: Case No. 80-48-XA

Dear Mr. Reiter:

I understand that it will be necessary for you to approve the
request of the Defenders of Animal Rights, Inc. to build an animal
shelter on the land which they have purchased one mile west of
Jacksonville, Maryland. Because of my love for animals, I have been
a contributor to this organization for many years and it is
obligatory that a shelter be built.

The 35 secluded acres which the Defenders have acquired is in no
way a health or safety threat to the community. They will have only
indoor dog runs, negating any noise problem. The Defenders of Animal
Rights is a well-managed operation by Mr. and Mrs. Kovic, and I feel
that this shelter would be a tremendous advantage and asset to the
County. As a Baltimore County taxpayer, I hereby request that your
Board of Appeals grant the Defenders of Animal Rights the necessary
approval for the building of their shelter.

Very truly yours,

EDGAR M. LUCAS

ENL/lr

cc: Defenders of Animal Rights, Inc.

RECEIVED
BALTIMORE COUNTY
APR 23 9 5 AM '81
OFFICE OF THE
CLERK OF THE
BOARD OF APPEALS
21204

417 Chipping Ave
Towson, Md.
21204

April 21, 1981

Mr. Walter A. Reiter, Jr. Chairman
Board of Appeals
Old Court House
Pennsylvania & Washington Ave.
Towson, Md. 21204

Reference to Case No. 80-48-XA

I am in chains.

As a member of the D.A.R. I feel
rights for animal rights & in my
concern that there needs to be
further commitment given for approval
to build a kennel shelter. I feel
satisfied. I believe Defenders of Animal
Rights to be one of the most humane
& caring organizations in the field of
animal care. I understand that the
shelter will be a humane shelter
and only then taking care of the

April 23 1981

Dear Mr. Butler
I cannot attend to this
BY: *[Signature]*
CO. *[Signature]*
APR 29 1922
BART *[Signature]*

every individual becomes
wonderfully susceptible to the
influence of well or non
conduct. He is really bound
in a safety fast to the
community. By world
wide influences and laws
and fast moving progress.
The world is now
more than ever before so
much in unity with the
human world.

would not' offend our readers.
 "Now, when we have met
 millions and 'trains of
 single the party with the
 dominant word."
 "He speaks of justice must
 the answer for the idea
 creation."
 "Now, now for ever and
 re-education in the matter in
 which the people is."

people would have more faith in
 those who have already
 been in contact with the community
 for a long time.

Be a member of Synagogue
of Central Park. I am speaking
to you, on behalf of the committee,
to approve our request to divide
a shelter for the neglected and
abused animals our organizations
are for.

We sincerely request that
the request for the building of
this shelter be approved

Eugene M. Hathall
7006 Arion Ave.
Baltimore, Md. 21234

Sincerely,
George N. Lucas
Marie K. Lucas

How many times have you seen a stray animal? I am sure alot of times as I have too. It's really sad to think of their chances of survival. Defenders of Animals Rights has a fantastic saying, "the scales of justice must be equal for all God's creatures", nad that is why we must be able to show others the importance of our task.

RECEIVED
BALTIMORE COUNTY
APR 24 10 43 AM '81
COUNTY BOARD
BY: ATTEALS

I am sure the responsible people of OAR will see that this shelter is run properly & in no way will offend anyone else in the community.

Thank you
Mrs. Teresa Cadeghini
7506 Knollwood Rd.
Towson, Md 21204

April 22, 81

Mr. Walter Reiter, Jr.
Chairman Board of Appeals
Old Court House, Third Floor
Pennsylvania & Washington Ave.
Towson Md. 21204

RE: Case no. 80-48-XA

Dear Mr. Reiter:

The purpose of this letter is to request that you approve the Defender's of Animal Rights, Inc. request to build their animal shelter in Jacksonville, Baltimore Co.

I know from personal experience that the people affiliated with Defendant's of Animal Rights are of the highest caliber and can be depended upon to operate a professional and competent shelter that will be a service to the community rather than a problem.

The need for a good animal shelter is great. This shelter will be financed with private funds. It would be a great mistake to forfeit this opportunity. Thanks for your help in this matter.

Sincerely,
Robert M. Tayback
Robert M. Tayback
213 Dawson, Fr
Cockeysville, Md. 21030

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Old Court House, 3rd floor
Tucson, AZ 85704

Dear Mr. Hoiter:

There is great need for the kind of animal shelter and wildlife sanctuary which the Defenders of Animal Rights, Inc., plan to establish just west of Jacksonville -- the community nearest to where we live at 13000 Jarrettville Pike. As members of that humane organization, as well as the Greater Jacksonville Association, we respectfully urge you to approve the shelter project (Case No. 60-40-1A).

We understand that the Defenders of Animal Rights intend to preserve more than 30 of the 35.8 acres involved as a wooded wildlife area — meaning that the building will be secluded from the rest of neighboring properties. Dog run, we're told, will be maintained indoors to minimize any bothersome noise.

he Defenders have an excellent reputation for providing the best possible care for animals suffering from cruelty and neglect. This vital care can only be continued and expanded in a facility like the one proposed near Jacksonville --- a site selected after a Countywide search.

o advance tneir humane work in this area, without in any way jeopardizing public health or safety, please approve the renewed shelter request of the Defenders of Animal Rights. And consider us extremely grateful.

improvement

George N. Lucas
Marie K. Lucas

2 will be perceived as a solid-life sanctuary, if he will be a modern society, the design of which has been based on the abuse of restrictions and other professionals, if he will be universal dog men, then transcending any abuse problem.

dependence of personal rights.
We are a responsible com-
munity devoted to the im-
proved treatment & handling of
criminals. I would entreat my
people, I move to their case.
For there is the criminal
who seeks such a home
I am confident that the
shelter will that they receive
the community, but rather,

Please help to get
a passport for the animal shelter
on the 388 acres of wooded
land (one mile west of
Jacksonville, Me.). The Department
of Animals, Poultry, Inc. has
thoroughly investigated the
area and it is ideal for a
much needed 24-hour animal
shelter which would not have
surrounding land or people
there should be no noise,
but any minimal amount
would be blocked by the two
million reforested trees.

various areas in Everett,
Everett and have no
problem with neighbors. These
animal shelter are advised
re educational areas for clubs.
Please APPROVE Case 80-48 HA. *W. J. [unclear]*

Mr. and Mrs. E. Lopez
914 Carmel Avenue
Baltimore, Maryland 21230

Dear Mr. Richter:

I would like to see
appears our request for a small, low
animal shelter. The dog is going
to case No. 80-48-XA. The
shelter will in no way be a threat
to safety, shelter to the community,
it is being from the public,
included in the middle of 35.5
wood acres.

The shelter will
have indoor - only dog runs,
this preventing any more problems.
The shelter will provide a security
and comforting environment for
the animals who will be

April 29, 1981

Dear Mr. Miller

So Easy No
SO-48-NA

I would appreciate it if you would promptly consider the application on behalf of Animal Rights, Inc. to construct a small shelter near Jacksonville, Md. I feel that this shelter is very badly needed. The location seems to be ideal for this sort of operation. There are over 35 wooded acres, away from the public, thus, insuring the health or safety threat to the community. The 30 acres

3
it will be inspired and
a positive influence. When
fore, I want that person
be granted to Duncan of
Armed Night, me to cut
the facility.

Sincerely yours,
(Mrs) M. F. Ling

6827C Stockholm, N.Y.
Dec 16, 2, 1972

2400 Lexington Road
Tulsa, Okla., 74104 2100,3
Apr. 23-1981

[illegible]

I feel that Dependence of America
 requires have the highest standards
 and conduct all of its activities
 in a professional way. Without
 a facility such as there are
 proposed, we will be severely
 handicapped in carrying out our
 human work.

The motto of our organization
 is, "The cause of justice must
 be equal for all God's creatures".
 I hope you will consider that
 when you make your decision.

Sincerely yours,
 Mpe. Ellen Beattie

RECEIVED
 B. J. WILKINSON COUNTY
 MAR 28 9 51 AM '61
 1961

Mr. Walter A. Reiter, Jr. Chairman
Board of Appeals
Old Court House Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

Dear Mr. Reiter:

I am writing to you in regard to The Defenders of Animal Rights shelter/wildlife sanctuary. I understand that Baltimore County is presently reviewing the plans for construction of our shelter. I also understand that some of the residents near the intended area are becoming apprehensive about our proposed plans for a shelter/wildlife sanctuary. This reaction of course has nothing to do with their unwillingness to promote our sanctuary. As a home owner, I know the reaction is out of fear, fear of not knowing what to expect or how our plans will effect their lives in the future.

I am sure that you are aware that the shelter will have indoor-only dog runs, therefore the community will be completely protected from any noise, odor, or viewing of the animals. From a health standpoint the shelter will save animals and can eliminate many by providing a refuge for homeless or injured animals. From a community standpoint our wildlife sanctuary will serve as a source of pride over 30 acres of this land will be used as a wildlife sanctuary forever. From a humane standpoint, without the shelter we cannot protect the animals and lessen their pain and suffering.

As a member of Defenders of Animal Rights I am aware of the highly professional manner in which it conducts all of its activities. I am also aware of the many dreams that will come true when the shelter/wildlife sanctuary is built. It will be a monument to mans compassion, humility and dedication to protect the Quality of life for all of Gods creatures.

Please, Mr. Reiten approve our request to build our shelter.

Sincerely,

Denise L. Pisarcik
Denise L. Pisarcik

4/11/80
APR 28 9 51 AM '80
CC - 4/11/80
BY - 4/11/80

Honorable Sir
 Please improve the Expenses
 of Bureau & Rights request to
 build them a small shelter
 As a number of houses of people
 the shelter was in
 the shelter and in
 therefore with anyone
 supply or otherwise
 It will be a great benefit
 to the state of mind involving
 a great saving of money
 I am yours most faithfully, ever for
 your good if people only know
 what you are there for
 that would anyone doing this
 great need
 It will be a great thing if you
 will be there in a shelter of people
 it that that you are a person
 of compassion & will appear
 if I more close in the name
 of companion that see not every
 the suffering that is in the world
 I thank you
 Yours affectionately
 B. G. P. de la
 13th Nov 1816

[illegible]

Mr. Walter A. Reiter, Jr.
Chairman
Board of Appeals

Dear Ms. Reiter,

I'm writing to you to express my support for the shelter & wildlife sanctuary proposed for the Jacksonville area of Baltimore County.

 THE KINDNESS CLUB
5343 W. EL SEGUNDO BLVD.
HAWTHORNE, CALIFORNIA 90250
213-676-3987



AN INTERNATIONAL HUMANE ORGANIZATION WITH BRANCHES IN 22 COUNTRIES

Founded in 1959 - For young people 6 to 18

FOUNDER - PRESIDENT 23 April 1981

Aida Ferneming
Frederation
N.B.
Canada

ADVISORS
United States
Sandy Davis
Sandee Hogan
Julie Mail

CONSULTANTS
United States
Ann Campbell
Dorothy Campbell
Beauz Compton
Michael Hogen
Betty Jacobs
James Konic
Mary Jo Kovic
Chris Land
C.G. McIntyre
Marie Mc Nelly
Chris Meyer
Elaine Meyer
Mel Pearl-Nelson
Shirley Simon
Pauline Simon
Anne Stacey
Gretchen Wyler

HONORARY
Ed Asner
Michael Ball
Nechi Blackband
Earl Holliman
Phyllis Kaymer
Paul Watson
Condy Williams

CLERGYMEN
RABBI
Sidney Jacobs
FATHER
Harriet A. Ward, Jr.

REVEREND
John D. Lee

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania and Washington Avenues
Towson, Maryland 21204

Subject; Case No. 80-48-XA

Dear Mr. Reiter -

This is to apprise you of our support of Defenders of Animal Rights desire to construct a shelter/wildlife sanctuary for the mutual benefit of people and animals in Baltimore County.

We respectfully urge your approval of their request to commence building the shelter and proceeding with plans to preserve 30 acres or more as a wildlife sanctuary.

Children across the nation are fearful they will grow up to a world totally lacking in wooded areas and wildlife. We know you agree we owe it to them to assure more than shopping centers, condos, parking lots and pollution in their future.

Any nearby landowners will not be inconvenienced by noise, or subjected to health or safety problems. The plans show all of the dog runs will be indoors and totally adequate sanitation will be guaranteed. Defenders of Animal Rights are highly respected because of the exemplary manner in which they carry out all of their activities. While we appreciate the normal anxiety and fear of the unknown in the minds of other landowners we have no doubt they will one day be proud to be situated close to the D.A.R. facility. We speak from experience ... the majority of our staff are board members, honorary members and ordinary members of the world famous facility Wildlife Waystation. The neighbors who were once wary of W/W are now first on the scene to assist when Mother Nature threatens with fire, storms, flooding etc.

Respectfully,

The Kindness Club
Sandee Hogan
Sandee Hogan
Advisor

sh

KINDNESS CLUB PLEDGE:
"I promise to be kind to animals & people and to speak

REC'D BY MAIL
APR 25 1981
OFFICE OF THE
CLERK OF THE CIRCUIT COURT
FOR BALTIMORE COUNTY

in how it conducts its activities. In designing the kennel, the organization has taken the advice of veterinarians and other professionals. The report and study operations will be that of a model facility. It will provide sanitary and comforting environment for the animals and the best of veterinary care. Without the shelter, the ability of Defenders of Animal Rights to carry out its work would be handicapped. If the facilities in this area do not meet the standards of the Defenders of Animal Rights, and that have experience in them. I contribute money to a fund to secure the shelter and I want to see it become a reality.

Please give this case your utmost consideration. Thank you for your time.

Sincerely yours,
Brooke Berlin

RECEIVED
BALTIMORE COUNTY
MAY 30 11 07 AM '81

the animals in a long time, at still fails to meet many sizeable ends. For example, there is no round the clock pickup for injured or stray animals. I myself have called National Contact many times to report road casualties, but since the trucks deliver their last load of stray to the County Shelter at 4 PM, any severely injured who may happen to have the misfortune of being run over after that time, spend the rest of the day & night dying slowly on the side of the road. D.A.R. would provide 24 hr. emergency service - this alleviates

Dear Mr. Reiter:

I am writing to ask your approval of the request to build the shelter/wildlife sanctuary on the property contracted to Defenders of Animal Rights located on the 35.8-acre wooded site one mile west of Jacksonville, Md. This property is zoned "RC-2." The case no. is 80-48-XA.

Since the property is secluded in the wooded acres, it will be far away from the public. Also, because of its location, there will not be any noise problems, nor health or safety problems posed to the community.

As a member of Defenders of Animal Rights, I am fully aware of the professional way this organization conducts all of its activities. We need this kennel/shelter/sanctuary so desperately, to afford the animals (so much in need of care, love, attention, etc.) the best of veterinary care which they all will receive there.

Please, Mr. Reiter, won't you give this matter your most serious thought and consideration and decide in favor of helping the homeless, neglected, starving, handicapped animals, and help Defenders of Animal Rights carry out their humane work of making life and living conditions better for all of God's helpless creatures.

Thank you so much for your kind consideration in this matter.

Sincerely,

Margaret Brown
Mrs. Margaret Brown

RECEIVED
BALTIMORE COUNTY
MAY 4 11 17 AM '81
COUNTY CLERK
BY: E

County's stray animal population. The planned facility will have indoor-only dog runs, therefore, there would not be a noise problem. This shelter will be a model facility and would be an asset to the community. Defenders of Animal Rights wants to be a positive influence on the community. Our desire is for a better life for both people and animals.

As a long time member of Defenders of Animal Rights, I can assure you of the professional manner in which they handle all of their activities. Additionally, I know the Board President and Vice President and can assure you that they are very responsible and dedicated individuals.

Our humane programs and activities are limited due to our lack of a shelter facility. Those of us who have been involved in humane work over the years are aware of the very real need for this facility.

Please understand this need and our desire to do good for the community; our facility will serve. Please approve Defenders of Animal Rights request to build this shelter.

Sincerely,
Mrs. Linda Mutschler

1003 B Pleasant Oaks Road
Baltimore, Maryland 21234
May 1, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Old Court House, Third Floor
Pennsylvania & Washington Avenues
Baltimore, Maryland 21204

Dear Mr. Reiter,

I am writing this letter to encourage your approval of the request of Defenders of Animal Rights, Incorporated to build an animal shelter/wildlife sanctuary in Baltimore County, case number 80-48-XA.

As a five year member of Defenders of Animal Rights, Incorporated, I have had a chance to observe how their activities have been conducted and I have been impressed by their sincerity, high standards and responsible attitude. The concern of residents in the area of the proposed animal shelter/wildlife preserve is certainly understandable; however, the fact that Defenders of Animal Rights has consulted veterinarians and other professionals in planning and designing the proposed animal shelter/wildlife sanctuary should allay any fears or concerns residents may have. Defenders of Animal Rights desires not only to provide a much needed facility but also to enhance the community in which it would be located.

The planned site of the animal shelter is to be in the middle of 35.8 acres of wooded land with indoor dog runs only. With this location and design of the facility, noise would not annoy area residents. Because of the secluded location and the high standards of design and planning Defenders of Animal Rights has insisted on for the animal shelter, the health and safety of area residents would be improved, not endangered. I believe because of the reputation Defenders of Animal Rights has established, people

Refer to case number
80-48-XA

James E. Westerlund
7 Quenimer Road
Newton, Md. 21204

Dear Mr. Reiter,

Please approve the request to build a shelter on 35.8 wooded acres one mile west of Jacksonville. This is in reference to case number 80-48-XA. At least 30 acres will be a wildlife sanctuary.

There will be indoor-only dog runs. There should be no noise problem with indoor runs. Expert advice and planning will be used for the design and operation of this shelter.

The organization of "Defenders of Animal Rights" is a sound professional organization that supports with money & keeps close track of their activities. Their leadership is excellent. Their by-laws are excellent.

The shelter would be on a property six miles from I-695 and I-83. The property is wooded and cost \$75,000.00. This property is zoned RC-2.

The standards proposed for this shelter are higher than any existing shelter in Baltimore County and probably any in Maryland.

Please consider who is objecting & why. Also please consider who is for the shelter & why. Thank you.
Yours truly,
James E. Westerlund

RECEIVED
BALTIMORE COUNTY
MAY 4 11 35 AM '81
COUNTY CLERK
BY: E

would be more likely to take stray, unwanted or injured animals to Defenders of Animal Rights proposed facility than to let strays and unwanted animals fend for themselves and leave injured animals untreated by a veterinarian. I think there is a lot of hesitation on the part of the public about calling county (city) Animal Control because they don't have confidence in the Animal Control Bureau's ability to provide the type of care they desire for strays, unwanted or injured animals. The facility Defenders of Animal Rights wishes to build would provide the highest standard of humane care available in the Baltimore metropolitan and Baltimore County area.

Please consider the information I have presented in reviewing the appeal case number 80-48-XA. Thank you.

Sincerely,
Mrs. Roseanne Dean

Mr. Walter Reiter, Jr.
Chairman Board of Appeals
Old Court House
Baltimore, Md. 21131

2 Greenland Gault
Pheasant, Md. 21131
April 28, 1981

Ref. case # 80-48-XA.

Dear Mr. Reiter:

I am writing to request you to approve the plans of the Defenders of Animal Rights to build the animal shelter and wildlife sanctuary on the land which they have purchased near Jacksonville. As a member of the organization, I have followed the progress of these plans since their beginning. It is such a rare to know that there are landowners near this property who are objecting to this project. In no way could it harm their property. A 35-acre tract of land set aside for the care of animal and wildlife would not be objectionable to me if it were adjacent to my property.

If these people who are now objecting to this plan are pet owners and animal lovers such as I am, they must be aware that the current animal control facilities in our County are overcrowded, understaffed and do not provide decent care for lost or unwanted animals. I believe Defenders of Animal Rights would perform much better and adequately if given proper facilities.

Your approval to build the shelter would be greatly appreciated.

Sincerely,

Mrs. Dorothy J. Pelt
(Mrs. Bernard H. Pelt)

RECEIVED
BALTIMORE COUNTY
MAY 1 11 35 AM '81
COUNTY CLERK
BY: E

1122 Hollen Rd.
Baltimore, Md. 21239
April 28, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Old Court House, 3rd Floor
Pennsylvania & Washington Avenues
Baltimore, Md. 21204

Case # 80-48-XA

Dear Mr. Reiter,
All of us have witnessed at one time or another, the tragic sight of homeless or abandoned animals in their hopeless struggle for existence. The plight of these unfortunate creatures is of course a tragedy in itself; however, beyond

2.
that, they can, unwittingly be a source of danger to the health and safety of the community, as in the case, for example, of groups of wandering dogs.

We urge you to approve the shelter which the Defenders of Animal Rights propose to build in order to alleviate the problem of animal suffering and starvation.

The Defenders of Animal Rights have a proven track record of sensible, practical approaches toward solving

3.
the humanitarian and social problem of homeless animals.

The proposed shelter is secluded, safe, sanitary (with indoor only dog runs) and should present no noise problem to anyone.

Therefore, as concerned citizens of both Baltimore County and Baltimore City, we respectfully urge you to approve the construction of this vitally needed shelter.

Sincerely,
Lillian C. Bisson
(Mrs. B. B.)

(Please see other side)



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

March 2, 1979

Mr. James W. McKee
1717 York Road
Lutherville, Maryland 21093

Re: Animal Shelter "Defender of Animal Rights",
west side Old York Road 1320 ft. north of
Paper Mill Road, Election District 10

Dear Mr. McKee:

A representative of this office, Mr. Marvin H. Cook, evaluated the soil on the subject property. Attached, herewith, is a copy of the test results.

Based on the soil evaluations, the design criteria and the enclosed plot plan, approval will be granted for the installation of the following:

1. Sewage disposal system #1, for domestic sewage only - 1500 gal. septic tank, distribution box and three seepage pits 10 ft. by 10 ft. (minimum 8 ft. below inlet).

2. Sewage disposal system #2, for animal waste only - 1500 gal. septic tank, distribution box and three seepage pits 10 ft. by 10 ft. (minimum 8 ft. below inlet).

It should be noted that 30,000 sq. ft. is reserved for the sewage disposal systems and areas for expansion. Under no circumstances shall any permanent structures, above or below ground, be permitted within this area. Also no underground electric lines, water pipes, gas line, etc., shall be permitted in the disposal system area.

Soil evaluation results will be valid for a period of three years. At the expiration of this period of time, the results will become void without notice to that effect having been given by the approving authority.

Under Section 16.2, Baltimore County Plumbing Code, a plumbing permit is required for the installation.

Very truly yours,

William M. Greenwalt, R.S., Chief
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

WMG:MHC:pb
cc: Mr. Elson Duvall
Mr. J. James Dieter

Pat Loh 2

Soil Evaluation Data - P.2

LOCATION OF TEST PIT	BLOCK	LOT	DRAWDOWN IN MINUTES	DEPTH OF TEST	SOIL AND DEPTH AT WHICH PERCUSSIVE SOIL WAS ENCOUNTERED
A			5	6 feet	Clay 0-3 ft., Loch Raven schist 3-16 ft.
B			--	--	Clay 0-3 ft., Loch Raven schist 3-14 ft., rock 14 ft.
C			3	6 feet	Clay 0-2 ft., Loch Raven schist 2-14 ft., rock 14 ft.
D			--	--	Clay 0-6 ft., Loch Raven schist 6-6.5 ft., water 6.5 ft.
E			--	--	Clay 0-2 ft., Loch Raven schist 2-16 ft.

EHC 66 R970/Page 2



Greater Jacksonville Association Inc.

P. O. BOX No. 126

PHOENIX, MARYLAND 21131

13 November 1981

County Board of Appeals
Room 200
County Court House
Towson, MD 21204

Dear Sirs:

You are requested to send a copy of the decision of the Board on Mary Testudine, et al., petitioners, case 80-48-XA, when that decision is determined.

James V. McCoy
President

RECEIVED
BALTIMORE COUNTY
NOV 19 9 25 AM '81
OFFICE OF THE CLERK
BY: C. J. ALLEN

KEEP THE QUALITY UP

W. E. UDOHN
Dec 9, 1980

0-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000-2001-2002-2003-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2

4.
Additional request by:

John C. Burch
3 Carver Place, Apt. 1-D
Gullston, Md. 21236

Wm. T. Countess
7023 N Locklan Circle
Towson, Md. 21234

Phyllis Linder
Walker Apt.
1100 Walker Ave.
Baltimore, Md. 21239

Larry Cordell
4011 White Ave., Apt. E.
Baltimore, Md. 21206

RECEIVED
BALTIMORE COUNTY
OFFICE OF PLANNING
AND ZONING
AUG 11 11 AM '81

LARRY H. BANK, D.D.S., P.A.
AND
FREDERICK S. COHEN, D.D.S., P.A.
216 W. PRATT STREET
BALTIMORE, MD. 21223

Case 80-48-XA

Dear Mr. Holmen,
I just wanted to drop
you a note to voice my
support for the 10th District
Animal Rights Sanctuary.
I have been associated with
this group for several years.
Any project undertaken by
them is done with the greatest
of professional care and
integrity.

Each part of the model
facility is designed so as not
to offend its neighbors -
i.e. located in the midst of
35.8 wooded acres, intensively
dog runs.

Thank you for your
consideration.

RECEIVED
BALTIMORE COUNTY
OFFICE OF PLANNING
AND ZONING
AUG 11 11 AM '81

MARLOW & PEDDICORD
ATTORNEYS AT LAW
504 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
(301) 821-1013

WILLIAM F. C. MARLOW, JR.
THOMAS J. PEDDICORD, JR.
*ADMITTED IN MARYLAND AND DISTRICT OF COLUMBIA

WASHINGTON, D.C. ADDRESS
933 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20001
(202) 387-2844

May 14, 1981

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

Attn: June Holmen, Secretary

Re: Case No. 80-48-XA
Item No. 220
Mary Testudine, et al.

Dear Ms. Holmen:

Please be advised that I had entered my appearance
in the above-captioned case on behalf of one protestant in
the course of the proceedings in the above-captioned case
before the zoning commissioner. I am no longer representing
anyone in this matter and accordingly, I would request that
my appearance be stricken.

Very truly yours,

Thomas J. Peddicord, Jr.
Thomas J. Peddicord, Jr.

TJP:mmp

Robert J. Romadka, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

NOTICE OF HEARING

RE: E/S Old York Road, 1900' North of Paper Mill Road
Petition for Special Exception and Variance - Mary
Testudine, et al - Case No. 80-48-XA

TIME: 1:00 P.M.

DATE: Thursday, August 23, 1979

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

TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

cc: James P. Kovic, V.P.
Defenders of Animal Rights, Inc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner

August 8, 1979

TO: John D. Seyffert
FROM: Director of Planning and Zoning

SUBJECT: Petition #80-48-A, Item 220

Petition for Special Exception for kennel, animal shelter, veterinarian and
cemetery and Variance of minimum setbacks
East side of Old York Road 1900 feet North of Paper Mill Road
Petitioner - Mary Testudine, et al

10th District

HEARING: Thursday, August 23, 1979 (1:00 P.M.)

There are no comprehensive planning factors requiring comment on this
petition.

John D. Seyffert
John D. Seyffert
Director of Planning and Zoning

JDS:JGH:rw

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

NOTICE OF HEARING

RE: E/S Old York Road, 1900' N of Paper Mill Road - Petition for
Special Exception and Variance - Mary Testudine, et al
Case No. 80-48-XA

TIME: 1:30 P.M.

DATE: Thursday, September 13, 1979 (Rescheduled from 8/23/79)

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

TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

cc: James R. Kovic, V.P.
Defenders of Animal Rights, Inc.



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 12, 1980

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petitions for Special Exception
and Variances
E/S of Old York Rd., 1900' N of
Paper Mill Rd. - 10th Election District
Mary Testudine, et al - Petitioners
NO. 80-48-XA (Item No. 220)

Dear Mr. Romadka:

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

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

Lawrence D. Scally, Esquire
8901 Harford Road
Parkville, Maryland 21234

Thomas J. Peddicord, Jr., Esquire
504 Baltimore Avenue
Towson, Maryland 21204

Robert J. Romadka, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

RE: E/S Old York Rd., 1900' N
Paper Mill Rd., Petition for
Special Exception and Variance
Mary Testudine, et al -
Case No. 80-48-XA

Dear Sir:

This is to advise you that \$1.50 is due for
advertising and posting of the above property.

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

Very truly yours,

William E. Hammond
William E. Hammond
Zoning Commissioner

WEM/aj

Robert J. Romadka, Esquire
Page 2
September 12, 1980

cc: Clarke Murphy, Jr., Esquire
700 Keyser Building
Baltimore, Maryland 21202

Mr. R. E. Pett
Piper & Co.
York & Shawan Roads
Hunt Valley, Maryland 21031

Ms. Helen Tinsley
924 Maldon Road
Baltimore, Maryland 21239

Mrs. Charles McCormick
3010 Paper Mill Road
Phoenix, Maryland 21131

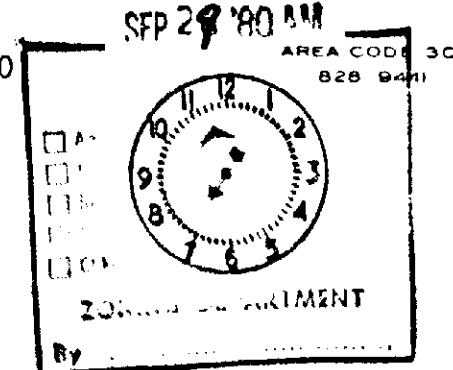
John W. Hessian, III, Esquire
People's Counsel

Mr. Benjamin Apicella
14240 Jarrettsville Pike
Phoenix, Maryland 21131

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 ROSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
DOUGLAS W. BISER

September 26, 1980



Office of the Zoning Commissioner
for Baltimore County
Court House
Towson, MD 21204

RE: Petition for Special Exception and Variances
No. 80-48-XA (Item No. 220)
Petitioner: Mary Testudine, et al

Gentlemen:

Please treat this letter as a correction of the
Order for Appeal heretofore filed in the above-captioned
that said Appeal is noted from the decision of the Deputy
Zoning Commissioner dated September 12, 1980.

Very truly yours,

Edward C. Covahey, Jr.

ECC/pa

cc: Robert J. Romadka, Esquire
Clarke Murphy, Jr., Esquire
Thomas J. Peddicord, Jr., Esquire
Lawrence D. Scally, Esquire

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 ROSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
DOUGLAS W. BISER

September 23, 1980

AREA CODE 301
828 9441

Office of the Zoning Commissioner
County Office Building
Towson, MD 21204

RE: Petition for Special Exception and Variances
No. 80-48-XA (Item No. 220)
Petitioner: Mary Testudine, et al

Gentlemen:

Please enter an appeal from the decision of the
Deputy Zoning Commissioner dated September 1, 1980 whereby said
Commissioner did grant unto the applicants a special exception
for a kennel, animal boarding place and veterinarian.

Enclosed herewith please find my check in the amount
of \$70.00 re filing this appeal. I understand in fact you will
forward me a bill with respect to posting.

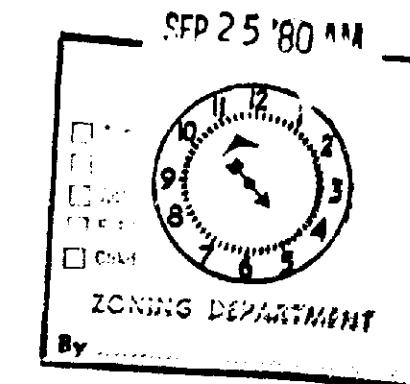
Very truly yours,

Edward C. Covahey, Jr.

ECC/pa

Enc.

cc: Clarke Murphy, Jr., Esquire
Thomas J. Peddicord, Jr., Esquire
Lawrence D. Scally, Esquire
Mr. Palmer C. Williams
Robert J. Romadka, Esquire



MCKEE, DUVY & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

1717 YORK RD.

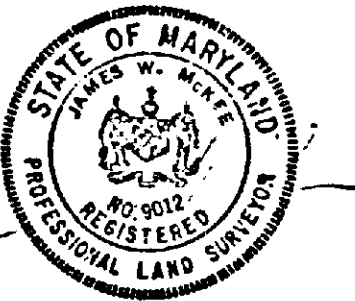
LUTHERVILLE, MARYLAND 21093

Telephone: (301) 252-5920

April 5, 1979

Description of 35.811 Acres of Land, More or Less
10th Election District
Baltimore County, Maryland

Beginning for the same at a point on the East side of Old York Road
said point being 1,900 feet North of the intersection of Paper Mill
Road and Old York Road and running thence as now surveyed the following
courses and distances: North 71° 35' 48" West 228.70 feet, thence South
46° 44' 23" West 971.00 feet, thence North 51° 17' 27" West 1,390.70
feet, thence South 39° 17' 06" West 600.00 feet, thence South 50° 36'
26" East 1,644.89 feet, thence North 59° 11' 02" East 1,238.24 feet,
thence North 05° 13' 27" East 600.00 feet to the place of beginning.
Containing 35.811 acres of land, more or less.



PETITION FOR SPECIAL EXCEPTION AND VARIANCE
10th District

ZONING: Petition for Special Exception for kennel, animal shelter,
veterinarian and cemetery and Variance for minimum
setbacks

LOCATION: East side of Old York Road 1900 feet North of Paper Mill
Road

DATE & TIME: Thursday, August 23, 1979 at 1:00 P.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 Exception for a kennel, animal
shelter, veterinarian and cemetery (IACA 77-14-X)
and Petition for Variance to permit setbacks of
76 feet and 131 feet in lieu of the required 200 feet
for an animal boarding place

The Zoning Regulation to be excepted as follows:

Section 421.2 and 421.3 - minimum setbacks

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

Being the property of Mary Testudine, et al, as shown on plat plan filed with
the Zoning Department

Hearing Date: Thursday, August 23, 1979 at 1:00 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

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

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
10th District

ZONING: Petition for Special Exception for kennel, animal boarding,
veterinarian and cemetery and Variance for setbacks

LOCATION: East side of Old York Road, 1900 feet North of Paper Mill Road

DATE & TIME: Tuesday, September 18, 1979 at 1:30 P.M.

LOCATION: 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 Exception for a kennel, animal boarding
place, veterinarian and cemetery and Variance to permit a setback
of 76 feet and 131 feet from property lines instead of the
required 200 feet for kennel and animal boarding place
and to permit a setback of 76 feet from the property line in
lieu of the required 100 feet for a Veterinarian

The Zoning Regulation to be excepted as follows:

Sections 421.1 and 421.3 - minimum setbacks

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

Being the property of Mary Testudine, et al, as shown on plat plan filed with
the Zoning Department

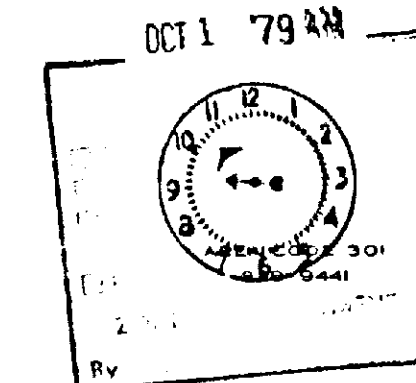
Hearing Date: Tuesday, September 18, 1979 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

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

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 ROSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
DOUGLAS W. BISER

September 28, 1979



Mrs. Jean M. H. Jung,
Deputy Zoning Commissioner for
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Zoning Application Testudine, Defenders of Animal Rights

Dear Commissioner:

In accordance with your request that memorandum be submitted
with respect to the Protestant's Motion to dismiss the Applicant's
request for variance from Section 421.1 of the Baltimore County
Zoning Ordinance to permit a kennel to be situated within 76 feet
of the property line instead of the required 200 feet, and for a
variance from Section 421.3 to permit a veterinarian's office to
be permitted within 76 feet of the property line instead of the
required 100 feet, the Applicants reiterate each argument advanced
before the Commissioner on Tuesday, September 18, and further
advance the reasons hereinafter cited.

By Order dated August 3, 1979 The Honorable Walter R. Haile,
sitting in the Circuit Court for Baltimore County in an Appeal
from Zoning Case No. 76-138-A in hearing the Petition of Walter
Ross Ramage, et ux for a variance from Section 421.1 of the
Baltimore County Zoning Regulations held that said section is "a
use restriction which cannot be changed by variance under the
provisions of Section 307 of said Regulations."

Section 307, as the Commissioner is well aware, provides that
you are vested with authority to grant variances from "height and
area regulations". As is so often the case, the rule is easily
stated, it is the application to the facts that oft-times proves
difficult.

In the instant case, it is important to remember that an
Appeal was not noted from Judge Haile's Order and accordingly same
is the final decision of the Circuit Court for Baltimore County
entitled to full weight as the law with respect to the subject
matter covered within the ambit of the Order. It is crystal clear
that in fact the Order in the Ramage case, Supra, addressed itself

Mrs. Jean M. H. Jung,
Deputy Zoning Commissioner
Page 2
September 28, 1979

to the identical issue that was raised in the Protestant's Motion,
i.e., that Section 421 et seq. in fact imposes use restrictions
and not area restrictions. The Baltimore County Zoning
Regulations make no provision for variance from use restrictions,
same being controlled by the various provisos relating to special
exceptions.

Counsel examining the file in the Ramage case notes that the
Court did not render a written opinion and Counsel was so apprised
by the official court reporter that the Court's decision as
announced in open court was not accompanied by citation of
authority.

Examination of the Zoning Regulations establishes that,
contrary to the argument advanced by Applicant's counsel, in fact
Section 1-A00.2810 would permit "animal boarding places
(regardless of class), kennels, veterinarian's offices or
veterinarians, subject to the provisions of Section 421 in a
R.D.P. zone as a matter of right. However, with respect to the
R.C. classes same is permitted only as a special exception
"subject to the provisions of Section 421." The leading authority
on the law of zoning and planning is generally recognized as
Ractkopf and Ractkopf points out as a general proposition Chapter
45-Section 1 add to Note 1 "Building height and lot line
restrictions relate to a permitted use as distinguished from
limitations on the use itself." The noted author in explaining the
difference at Page 54-30 further states "it has generally been
held that where the ordinance states the conditions which govern
approval of a special exception permit at the location applied
for, the Board has no power to disregard or vary the conditions
expressed, as where the ordinance provides for a special permit
for a gasoline filling station but not "nearer than 1,000 feet
from an existing gasoline station." In such case, the Board
cannot approve the issuance of a permit for a gasoline station
which would be only 600 feet from an existing station." A
fortiori, there is no authority to permit an animal boarding place
or a kennel closer than 200 feet to the nearest property line as
required by Baltimore County Zoning Regulation 421.1, or a
veterinarian's office closer than the 100 feet as specified by
421.3. The obvious rationale can be gleaned by examination of the