

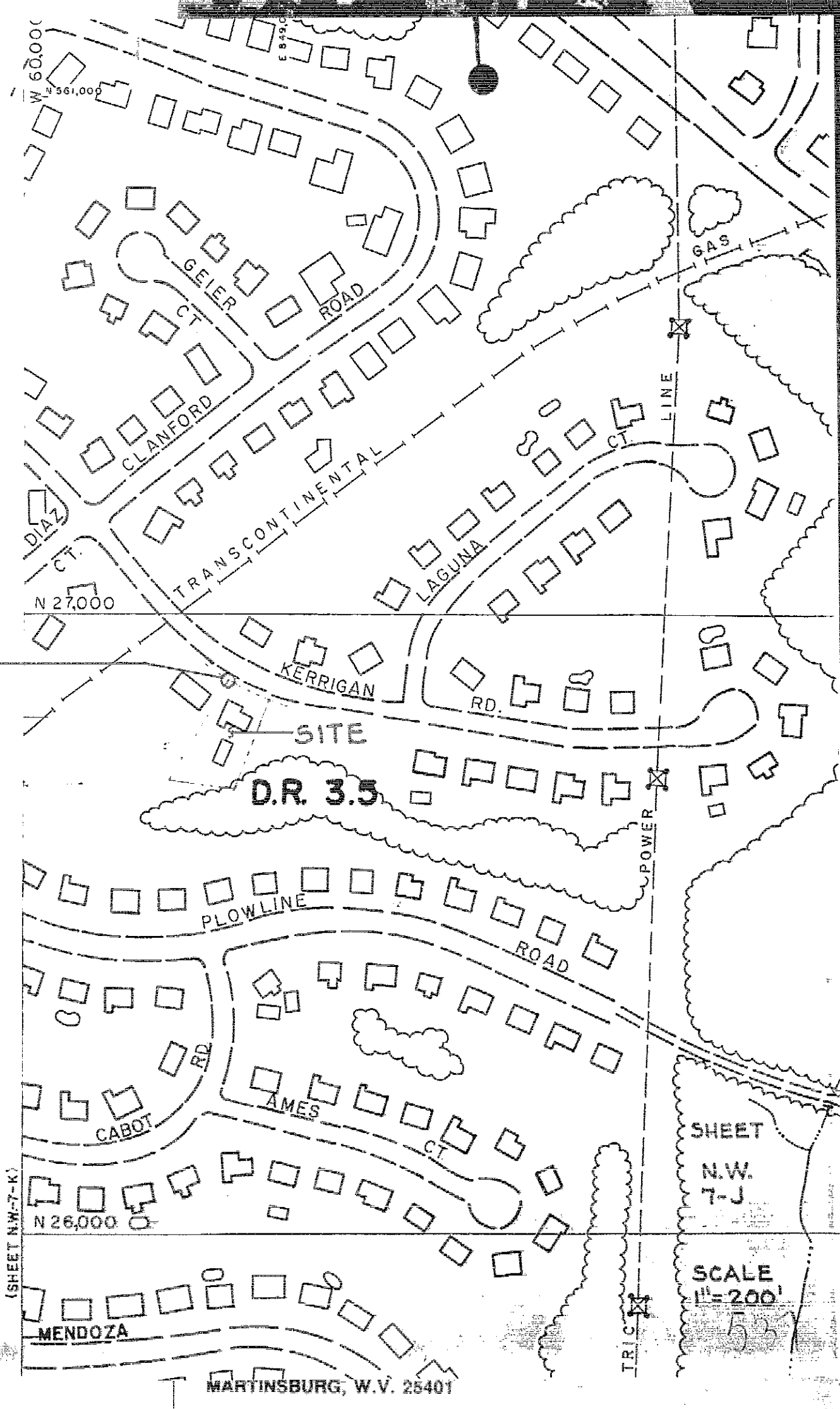
537

RLS; as



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	RANDALLSTOWN	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		7-J



92-504-XA

Point Of
Beginning
N 26,500
W 59,100

92-504-XA

537

ZONING DESCRIPTION

Beginning at a point on the south side of Kerrigan Court which is 50 feet wide at the distance of 325 feet east of the centerline of the nearest improved intersecting street Clanford Road which is 50 feet wide. Thence the following courses and distances:

Southeasterly along Kerrigan Court right of way on a 450.00 foot radius curve 76.38 feet, S 21°36'00" W 156.38 feet, N 80°27'30" W 110.31 feet, N 31°19'30" E 188.60 feet to the point of beginning as recorded in Deed Liber 4435, Folio 588. Being Lot #2, Block T, Section #2 in the subdivision of Kings Point as recorded in Baltimore County Plat Book W.J.R., Folio 121, containing 0.3563 acres. Also known as 9807 Kerrigan Court, Randallstown, MD. 21133 and located in the 2nd Election District.



James E. Schmidt
 Zoning Commissioner of Baltimore County

MICROFILMED

537

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: July 16, 1992
 Posted for: Special Exception Variance
 Petitioner: Charles J. Sinay and E. Mae Sinay
 Location of property: 5/8 Kerrigan Court, 325' E of c/l Clanford Road
9807 Kerrigan Court
 Location of Sign: In front of 9807 Kerrigan Court
 Remarks:
 Posted by: S. J. Krato Date of return: July 17, 1992
 Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. 7/17, 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/16, 1992

THE JEFFERSONIAN,

S. Zeke Orlov
 Publisher

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

Date: 6/24/92 Account: R-001-4150
 PUBLIC HEARING FEES: 014 PRICE: \$50.00
 010 - POSTING VARIABLE CUP: 1 X \$500.00
 050 - SPECIAL EXCEPTION: 1 X \$250.00
 TOTAL: \$800.00
 LAST NAME OF OWNER: SINAY
 04A04#0105WICHC \$350.00
 BA C011:33AM06-25-92
 Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore Coun
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

Date: 8/6/92 Account: R-001-4150
 PUBLIC HEARING FEES: 014 PRICE: \$50.00
 080 - POSTING SIGN / ADVERTISING: 1 X \$26.93
 TOTAL: \$76.93
 LAST NAME OF OWNER: SINAY
 04A04#0105WICHC \$76.93
 BA C011:41PM06-07-92
 Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

DATE: 7/21/92

Charles and E. Mae Sinay
 9807 Kerrigan Court
 Randallstown, Maryland 21133

Re:
 92-504-XA (Item 537)
 5/8 Kerrigan Court, 325' E of c/l Clanford Road
 9807 Kerrigan Court
 2nd Election District - 2nd Councilmanic
 Petitioner(s): Charles J. and E. Mae Sinay
 HEARING: THURSDAY, AUGUST 6, 1992 at 11:00 a.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$96.93 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Carl J. Jahn
 ARNOLD JAHN
 DIRECTOR

Printed on Recycled Paper

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

JULY 6, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

92-504-XA (Item 537)
 5/8 Kerrigan Court, 325' E of c/l Clanford Road
 9807 Kerrigan Court
 2nd Election District - 2nd Councilmanic
 Petitioner(s): Charles J. and E. Mae Sinay
 HEARING: THURSDAY, AUGUST 6, 1992 at 11:00 a.m. in Rm. 106, Office Building.

Special Exception for a kennel (non-commercial).
 Variance to allow a setback of zero feet in lieu of the required 200 feet for use of the property as a kennel.

James E. Schmidt
 Lawrence E. Schmidt
 Zoning Commissioner of Baltimore County

cc: Charles J. Sinay, et ux

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

July 20, 1992

(410) 887-3353

Mr. & Mrs. Charles J. Sinay
 9807 Kerrigan Court
 Randallstown, MD 21133

RE: Item No. 537, Case No. 92-504-XA
 Petitioner: Charles J. Sinay, et ux
 Petition for Special Exception and Variance

Dear Mr. & Mrs. Sinay:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 25th day of June, 1992

Carl J. Jahn
 ARNOLD JAHN
 DIRECTOR

Received By:
W. Carl Roberts Jr.
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Charles J. Sinay, et ux

Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)
 Development Review Committee Response Form
 Authorized signature: Thomas A. Kennedy Date: 7/13/92
 Project Name: Waiver Number Zoning Issue: Meeting Date
 File Number: 90476 Stonegate at Patapsco (Aerial Property)
 ZON DED: TE (Waiting for developer to submit plans first) 6-1-92
 COUNT 1
 Baltimore County - Southwestern Bell Mobile Systems
 DED: STP 533 6-29-92
 COUNT 1
 ✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 NC
 DED DEPRM RP STP TE 528
 ✓ Mark M. Dunn And Darlene Dunn 534 NC
 DED DEPRM RP STP TE 534
 ✓ Philip E. English And Deborah B. English 535 NC
 DED DEPRM RP STP TE 535
 ✓ Clark F. And Ann S. MacKenzie 536 NC
 DED DEPRM RP STP TE 536
 ✓ Charles J. And E. Mae Sinay 537 NC
 DED DEPRM RP STP TE 537
 ✓ Amoco Oil Company 538 NC
 DED DEPRM RP STP TE 538
 ✓ John And Judy Hasler 539 NC
 DED DEPRM RP STP TE 539
 ✓ Paul J. And Marlene A. Leono 540 NC
 DED DEPRM RP STP TE 540
 ✓ W. Claymore And Carol H. Slack 541 NC
 DED DEPRM RP STP TE 541

92-504-XA 8-6-92 7/10/92
BALTIMORE COUNTY, MARYLAND 7/8/92
INTER-OFFICE CORRESPONDENCE
TO: Arnold Jablon, Director
Zoning Administration & Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
DATE: July 20, 1992
SUBJECT: Sinay Property
INFORMATION:
Item Number: 537
Petitioner: Charles J. Sinay
Property Size: 0.356 acres
Zoning: D.R. 3.5
Requested Action: Variance, Special Exception
Hearing Date: 7/1/92
SUMMARY OF RECOMMENDATIONS:
This petitioner is requesting a setback of 0 feet in lieu of the required 200 feet for use of the property as a kennel. The petitioner is also requesting a Special Exception for a kennel.
The Office of Planning and Zoning's area planner made a site visit and found that many other residences are located close to this site. The adjacent property to the west, 9809 Kerrigan Court, is 14' from the petitioner's property line. The (3) houses across the street on Kerrigan Court are 80', 85' and 150' from the petitioner's front property line. Of the six houses to the south, or the rear, of petitioner's property line, five are within 200 feet of the property lines. Three of them are approximately 150 feet from the property line. Ten dogs are currently being kept on 1/3 of an acre lot which our office feels is inadequate. The Office of Planning and Zoning recommends DENIAL of the petitioner's request and feels that the 200 foot minimum setback should be enforced.
If the Zoning Commissioner grants this variance and special exception, then a six foot privacy fence should be installed in the rear and along the sides of the property.
Prepared by: [Signature]
Division Chief: [Signature]
FH/EMCD:rdn
RECEIVED
JUL 20 1992
ZONING OFFICE
537.ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: [Signature] Date: 7/10/92
Project Name: Stonegate at Patapsco (Aerial Property)
File Number: 90476
Waiver Number: 528
Zoning Issue: N/C
Meeting Date: 7-6-92
COUNT 1
DED DEPRM RP STP TE
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C
✓ Mark M. Dunn And Darlene Dunn 534 N/C
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 N/C
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 N/C
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 N/C
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 N/C
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 N/C
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 N/C
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 W/C
COUNT 9
FINAL TOTALS
COUNT 10

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21204-5500
JULY 13, 1992 (410) 887-4500
Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
RE: Property Owner: CHARLES J. SINAY AND E. MAE SINAY
Location: #9807 KERRIGAN COURT
Item No.: 537 (LJG) Zoning Agenda: JULY 6, 1992
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
7. The Fire Prevention Bureau has no comments at this time.
REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division
JP/KEK
RECEIVED
JUL 14 1992
ZONING OFFICE

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: [Signature] Date: 7/14/92
Project Name: Stonegate at Patapsco (Aerial Property)
File Number: 90476
Waiver Number: 528
Zoning Issue: N/C
Meeting Date: 7-6-92
DED DEPRM RP STP TE
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C
✓ Mark M. Dunn And Darlene Dunn 534 N/C
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 N/C
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 N/C
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 N/C
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 N/C
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 N/C
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 N/C
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 N/C
COUNT 9
FINAL TOTALS
COUNT 9
*** END OF REPORT ***

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
AND ZONING VARIANCE
S/S Kerrigan Ct., 325' E of C/L : OF BALTIMORE COUNTY
Cianford Rd. (9807 Kerrigan Ct.)
2nd Election District
2nd Councilmanic District
CHARLES J. AND E. MAE SINAY, : Zoning Case No. 92-504-XA
Petitioners
ENTRY OF APPEARANCE
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204-4606
(410) 887-2188
I HEREBY CERTIFY that on this 21st day of July, 1992,
a copy of the foregoing Entry of Appearance was mailed to Charles J. and
E. Mae Sinay, 9807 Kerrigan Ct., Randallstown, MD 21133, Petitioners.
Phyllis Cole Friedman
Phyllis Cole Friedman

9812 Cianford Road
Randallstown, MD 21133
July 28, 1992
Mr. Arnold Jablon
Zoning Administration and Development
111 W. Chesapeake Avenue
Towson, MD 21204
Re: Case # C92-2070
Hearing # 92-504XA/Item 537/ August 6, 1992/ 11:30 a.m.
Dear Mr. Jablon:
This is to express my displeasure with the possibility zoning is being considered for a limited dog kennel in our residential area. I am vehemently opposed to the zoning to accommodate the proposed kennel and would like to go on record as against the zoning change which would permit Mr. Charles J. Sinay to place the kennel at his residence, 9807 Kerrigan Court.
Thank you.
Sincerely yours,
Charlotte B. Little
Copy: Mrs. Ethel Carter
President, Kings Park Association
RECEIVED
JUL 31 1992
ZONING OFFICE

To Whom it may concern,
This letter is written by a concerned home owner about Case # 92-2070.
I have lived in the King's Park Community for seventeen years. During this time there have been numerous changes but none like the negative influence a proposed dog kennel will present.
This community is known for its peace and quiet which offers all. There is no possible way that we as homeowners can agree with having a (10) dog kennel in our midst.
Over the years Mr. & Mrs. Sinay have been very friendly, thoughtful and concerned neighbors. Our only concern must be for the entire community not just the love for pets.
Thank you
David M. White
RECEIVED
JUL 31 1992
ZONING COMMISSIONER
RECEIVED
JUL 31 1992
ZONING OFFICE
92-504-XA

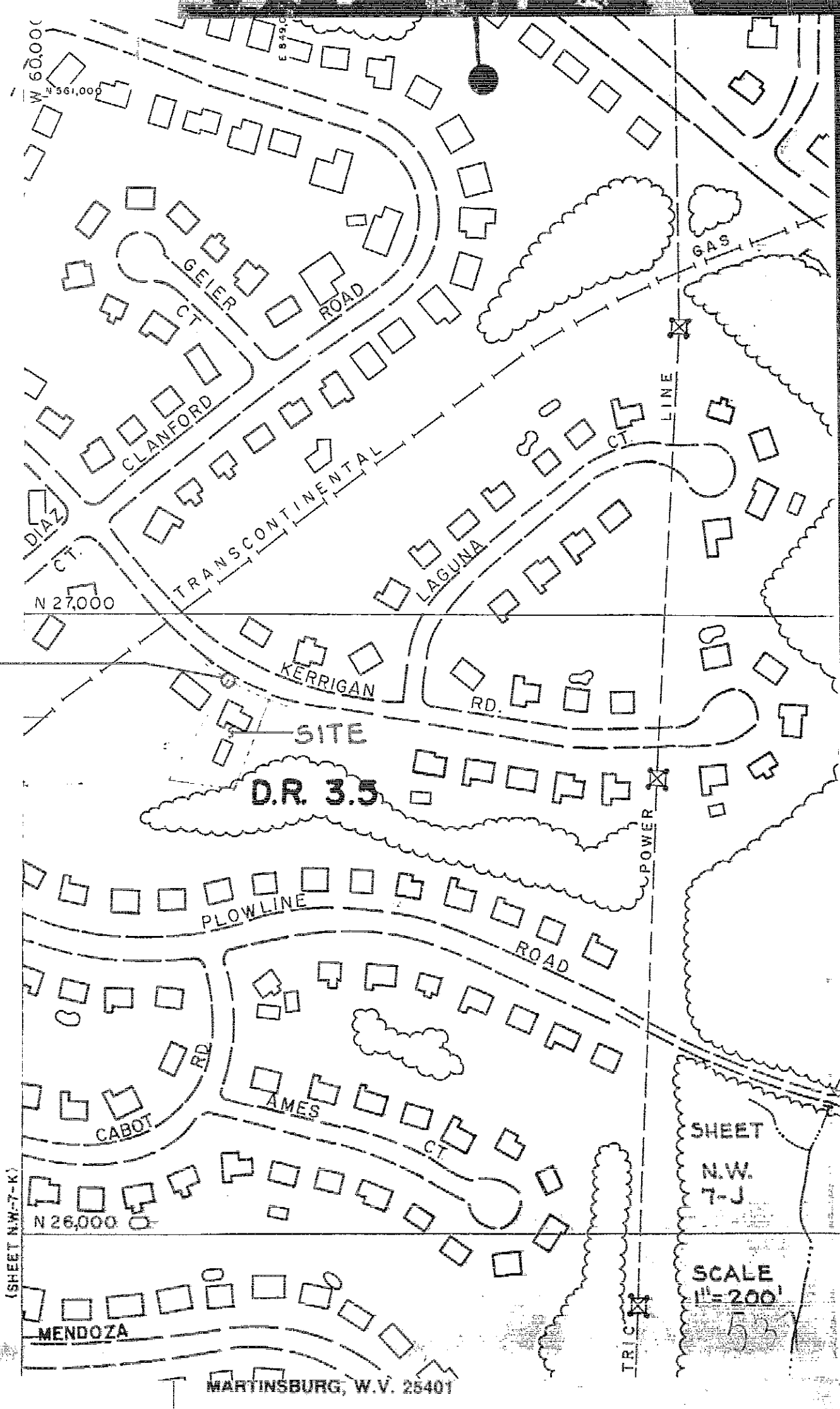
THE KING'S PARK MESSENGER
VILLAGE OF KINGS PARK ASSOCIATION, Inc.
GENERAL MEETING
Thursday, October 10, 1991 -- 8:00 P.M.
at
HERNWOOD ELEMENTARY SCHOOL
AGENDA
Guest Speakers:
The Woodlawn Precinct 2
MAJOR KEVIN SANZENBACHER
CAPTAIN RONALD SCHWARTZ
LIEUTENANT JOHN GAITHER
Hear and Receive Direct Information from the Top
Changes in Mardella Run, Section 2
AND... GUESS WHO'S COMING... BUT NOT FOR DINNER
Get the exciting answer at our October Meeting - DON'T MISS THIS ONE
It's What you've been waiting for
OFFICERS
Ethel Carter.....President
James Roberts.....First Vice President
Louis Harper.....Second Vice President
Open.....Corresponding Secretary
Barbara Hill.....Recording Secretary
Gene Novak.....Treasurer
Harold Carter.....Sergeant-At-Arms
Open.....Newsletter Editor
MEMBERS AT LARGE
Dale Anderson
Saul Goldberg
Frederick Johnson
Henry Pope
Phyllis Shimonkevitz
Jackie Taliaferro
Marcus Weitz
Ruth Weitz

RLS; as



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	RANDALLSTOWN	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		7-J



92-504-XA

Point Of
Beginning
N 26,500
W 59,100

92-504-XA

537

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - S/S of Kerrigan Court, 125' E of the c/l of Claford Road (9807 Kerrigan Court) 2nd Election District 2nd Councilmanic District Charles J. Sinay, et ux Petitioners

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 92-504-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Charles J. and E. Mae Sinay, in which the Petitioners request approval to use the subject property for a non-commercial kennel, pursuant to Section 1B02.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioners also filed a Petition for Zoning Variance requesting relief from Section 421.1 of the B.C.Z.R. to permit a property line setback of 0 feet in lieu of the required 200 feet for the proposed kennel operation, as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Charles and Mae Sinay, Jacob E. Evans, Professional Engineer, and Ann Schueler, Veterinary Technician. Appearing as Protestants in the matter were Leonard Averbach, adjoining property owner, Frederick Johnson, and Harold and Ethel Carter, area residents.

Testimony indicated that the subject property, known as 9807 Kerrigan Court, consists of 0.3563 acres, more or less, zoned D.R. 3.5 and is improved with a single family dwelling and inground swimming pool. The Petitioners filed the instant Petition as a result of a complaint filed with the Zoning Enforcement Division as to the number of dogs kept on the subject property. Testimony presented by Mr. Sinay revealed that on a

particularly bitter cold night during the winter of 1991, the Petitioners took in a stray dog that appeared not to have a home. The Petitioners were concerned for the dog's welfare and decided it would be in the best interests of the dog to bring it inside to protect it from the elements. The Petitioners released the dog the next day and hoped that it would return to its owner; however, that was not the case. The dog kept returning to the Petitioners' home and the Petitioners eventually took the dog in as their own. Unbeknownst to the Petitioners, the dog was pregnant at the time and eventually gave birth to nine puppies, eight of which survived. The Petitioners were desirous of placing the dogs with other families and advertised in an effort to find good homes; however, there was not a lot of interest in adopting and the Petitioners were forced to raise the puppies in their home. At the present time, the puppies are 16 months of age. In addition to the mother and her eight dogs, the Petitioners also have a dog of their own, bringing the total number of dogs on their property to 10 adult dogs.

It was clear from the testimony of the Petitioners and their witness, Ann Schueler, that the Petitioners provide an excellent home for these dogs. Testimony revealed that the Petitioners seek only to keep the subject dogs as their own personal pets and do not wish to bring any other dogs to their property.

Appearing and testifying in opposition to the Petitioners' request was Leonard Averbach, adjoining property owner. It was clear from Mr. Averbach's testimony that he and the Petitioners have been good friends for many years as the two have resided as neighbors for over 20 years. Mr. Averbach stated how difficult it was for him to testify regarding this matter, given the fact that he and the Sinays are such good friends and

- 2 -

good neighbors. Mr. Averbach testified that he has 3 children in college, 2 of whom are in medical school, and that he has been attempting to sell his property in order to raise funds for his children's education. He testified that he has encountered extreme difficulty in selling his home, due to the fact that any potential purchaser of his home while visiting the site would see the 10 dogs in the Sinay's rear yard. Potential buyers became disinterested in purchasing his home once they saw the large number of dogs living next door, and as a result, Mr. Averbach has been unable to sell his property.

Appearing on behalf of the Kings Park Association were Fred Johnson, President emeritus, Ethel Carter, current President, and her husband Harold Carter. The Association is vehemently opposed to any granting of a special exception and variance for the requested kennel. The Association feels that a kennel would not be appropriate in this residential neighborhood and that they already experience a large amount of problems with dogs in their community. They believe that this large number of dogs living in such a small area would present problems to the neighborhood and requested that the special exception and variance be denied.

After reviewing all of the testimony and evidence presented, it appears that the special exception should not be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have

- 3 -

an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1019 (1981).

It is obvious to this Deputy Zoning Commissioner that the subject property is not suitable for housing 10 adult dogs. This is a residential neighborhood and such use is not appropriate in the subject location. In addition, to allow the 10 dogs to remain on the subject property would work a tremendous hardship on Mr. Averbach who is trying to sell his property to pay for his children's education.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, it appears that the requirements of Section 502.1 have not been met and the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception should be denied.

Inasmuch as the Petition for Special Exception has been denied, the Petitioner's request for a variance shall also be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of August, 1992 that the Petition for Special Exception requesting approval to use the subject property for a non-commercial kennel, pursuant to Section 1B02.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 421.1 of the B.C.Z.R. to permit a property line setback of 0 feet in lieu of the required 200 feet for a proposed

- 4 -

kennel operation in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that within one hundred twenty (120) days of the date of this Order the Petitioners shall bring their property into compliance with the B.C.Z.R., as those regulations pertain to kennels. This will afford the Petitioners four months to find suitable housing for their dogs.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 31, 1992

Mr. & Mrs. Charles J. Sinay
9807 Kerrigan Court
Randallstown, Maryland 21133

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
S/S Kerrigan Court, 325' E of the c/l of Claford Road
(9807 Kerrigan Court)
2nd Election District - 2nd Councilmanic District
Charles J. Sinay, et ux - Petitioners
Case No. 92-504-XA

Dear Mr. & Mrs. Sinay:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs

cc: Mr. Leonard Averbach
9809 Kerrigan Court, Randallstown, Md. 21133

Mr. & Mrs. Harold R. Carter
9820 Claford Road, Randallstown, Md. 21133

Mr. Frederick Johnson
30 Hobart Court, Randallstown, Md. 21133

People's Counsel

File

- 5 -

Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 9807 Kerrigan Ct., Randallstown, MD 21133
which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Kennel (non-commercial) as provided in Baltimore County Zoning Regulations Section 280 - SCHEDULE OF SPECIAL EXCEPTIONS (B02.1)

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner

(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s)
Charles J. Sinay
(Type or Print Name)
Signature
E. Mae Sinay
(Type or Print Name)
Signature

9807 Kerrigan Court (410) 655-2363
Randallstown, Maryland 21133

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Charles J. Sinay
9807 Kerrigan Court 655-2363
Address Phone No.

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Charles J. Sinay
9807 Kerrigan Court 655-2363
Address Phone No.

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

ORDER RECEIVED FOR FILING
Date 8/31/92
By

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 9807 Kerrigan Ct., Randallstown, MD 21133
which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s) 421 - ANIMAL BOARDING PLACE, KENNEL, PET SHOP, VETERINARIAN'S OFFICE, VETERINARIUM To allow a setback of 0' in lieu of the required 200' for use of the property as a kennel.

Paragraph 421.1 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 the area and dimensions of the subject property a 200 foot separation between kennel use and property line is not obtainable.

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner

(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s)
Charles J. Sinay
(Type or Print Name)
Signature
E. Mae Sinay
(Type or Print Name)
Signature

9807 Kerrigan Court (410) 655-2363
Randallstown, Maryland 21133

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Charles J. Sinay
9807 Kerrigan Court 655-2363
Address Phone No.

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Charles J. Sinay
9807 Kerrigan Court 655-2363
Address Phone No.

City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

ORDER RECEIVED FOR FILING
Date 8/31/92
By

537

537

ZONING DESCRIPTION

Beginning at a point on the south side of Kerrigan Court which is 50 feet wide at the distance of 325 feet east of the centerline of the nearest improved intersecting street Clanford Road which is 50 feet wide. Thence the following courses and distances:

Southeasterly along Kerrigan Court right of way on a 450.00 foot radius curve 76.38 feet, S 21°36'00" W 156.38 feet, N 80°27'30" W 110.31 feet, N 31°19'30" E 188.60 feet to the point of beginning as recorded in Deed Liber 4435, Folio 588. Being Lot #2, Block T, Section #2 in the subdivision of Kings Point as recorded in Baltimore County Plat Book W.J.R., Folio 121, containing 0.3563 acres. Also known as 9807 Kerrigan Court, Randallstown, MD. 21133 and located in the 2nd Election District.



James E. Schmidt
 Zoning Commissioner of Baltimore County

MICROFILMED

537

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: July 16, 1992
 Posted for: Special Exception - Variance
 Petitioner: Charles J. Sinay and E. Mae Sinay
 Location of property: 5/8 Kerrigan Court, 325' E of c/l Clanford Road
9807 Kerrigan Court
 Location of Sign: In front of 9807 Kerrigan Court
 Remarks:
 Posted by: S. J. Krato Date of return: July 17, 1992
 Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. 7/17, 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/16, 1992

THE JEFFERSONIAN,

S. Zabe Orlov
 Publisher

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

Date: 6/24/92 Account: R-001-4150
 PUBLIC HEARING FEES: 014 PRICE: \$50.00
 010 - POSTING VARIABLE CUP: 1 X \$500.00
 050 - SPECIAL EXCEPTION: 1 X \$250.00
 TOTAL: \$800.00
 LAST NAME OF OWNER: SINAY
 04A04#0105WICHC \$350.00
 BA C011:33AM06-25-92
 Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore Coun
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

Date: 8/6/92 Account: R-001-4150
 PUBLIC HEARING FEES: 014 PRICE: \$50.00
 080 - POSTING SIGN / ADVERTISING: 1 X \$26.93
 TOTAL: \$76.93
 LAST NAME OF OWNER: SINAY
 04A04#0105WICHC \$76.93
 BA C011:41PM06-07-92
 Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

DATE: 7/21/92

Charles and E. Mae Sinay
 9807 Kerrigan Court
 Randallstown, Maryland 21133

Re:
 92-504-XA (Item 537)
 5/8 Kerrigan Court, 325' E of c/l Clanford Road
 9807 Kerrigan Court
 2nd Election District - 2nd Councilmanic
 Petitioner(s): Charles J. and E. Mae Sinay
 HEARING: THURSDAY, AUGUST 6, 1992 at 11:00 a.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 96.93 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Carl J. Jahn
 ARNOLD JAHN
 DIRECTOR

Printed on Recycled Paper

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

JULY 6, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

92-504-XA (Item 537)
 5/8 Kerrigan Court, 325' E of c/l Clanford Road
 9807 Kerrigan Court
 2nd Election District - 2nd Councilmanic
 Petitioner(s): Charles J. and E. Mae Sinay
 HEARING: THURSDAY, AUGUST 6, 1992 at 11:00 a.m. in Rm. 106, Office Building.

Special Exception for a kennel (non-commercial).
 Variance to allow a setback of zero feet in lieu of the required 200 feet for use of the property as a kennel.

James E. Schmidt
 Lawrence E. Schmidt
 Zoning Commissioner of Baltimore County

cc: Charles J. Sinay, et ux

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

July 20, 1992

(410) 887-3353

Mr. & Mrs. Charles J. Sinay
 9807 Kerrigan Court
 Randallstown, MD 21133

RE: Item No. 537, Case No. 92-504-XA
 Petitioner: Charles J. Sinay, et ux
 Petition for Special Exception and Variance

Dear Mr. & Mrs. Sinay:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 25th day of June, 1992

Carl J. Jahn
 ARNOLD JAHN
 DIRECTOR

Received By:
W. Carl Roberts Jr.
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Charles J. Sinay, et ux

Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)
 Development Review Committee Response Form
 Authorized signature: Thomas A. Kennedy Date: 7/13/92
 Project Name: Stonegate at Patapsco (Aerial Property)
 File Number: 90476 Waiver Number: TE (Waiting for developer to submit plans first) Meeting Date: 6-1-92
 ZON DED: TE (Waiting for developer to submit plans first)
 COUNT 1:
 Baltimore County - Southwestern Bell Mobile Systems
 DED STP 533 6-29-92
 COUNT 1:
 ✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 7-6-92 NC
 DED DEPRM RP STP TE 528
 ✓ Mark M. Dunn And Darlene Dunn 534 NC
 DED DEPRM RP STP TE 534
 ✓ Philip E. English And Deborah B. English 535 NC
 DED DEPRM RP STP TE 535
 ✓ Clark F. And Ann S. MacKenzie 536 NC
 DED DEPRM RP STP TE 536
 ✓ Charles J. And E. Mae Sinay 537 NC
 DED DEPRM RP STP TE 537
 ✓ Amoco Oil Company 538 NC
 DED DEPRM RP STP TE 538
 ✓ John And Judy Hasler 539 NC
 DED DEPRM RP STP TE 539
 ✓ Paul J. And Marlene A. Leono 540 NC
 DED DEPRM RP STP TE 540
 ✓ W. Claymore And Carol H. Slack 541 NC
 DED DEPRM RP STP TE 541

92-504-XA 8-6-92 7/10/92
BALTIMORE COUNTY, MARYLAND 7/8/92
INTER-OFFICE CORRESPONDENCE
TO: Arnold Jablon, Director
Zoning Administration & Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
DATE: July 20, 1992
SUBJECT: Sinay Property
INFORMATION:
Item Number: 537
Petitioner: Charles J. Sinay
Property Size: 0.356 acres
Zoning: D.R. 3.5
Requested Action: Variance, Special Exception
Hearing Date: 7/1/92
SUMMARY OF RECOMMENDATIONS:
This petitioner is requesting a setback of 0 feet in lieu of the required 200 feet for use of the property as a kennel. The petitioner is also requesting a Special Exception for a kennel.
The Office of Planning and Zoning's area planner made a site visit and found that many other residences are located close to this site. The adjacent property to the west, 9809 Kerrigan Court, is 14' from the petitioner's property line. The (3) houses across the street on Kerrigan Court are 80', 85' and 150' from the petitioner's front property line. Of the six houses to the south, or the rear, of petitioner's property line, five are within 200 feet of the property lines. Three of them are approximately 150 feet from the property line. Ten dogs are currently being kept on 1/3 of an acre lot which our office feels is inadequate. The Office of Planning and Zoning recommends DENIAL of the petitioner's request and feels that the 200 foot minimum setback should be enforced.
If the Zoning Commissioner grants this variance and special exception, then a six foot privacy fence should be installed in the rear and along the sides of the property.
Prepared by: [Signature]
Division Chief: [Signature]
FH/EMCD:rdn
RECEIVED
JUL 20 1992
ZONING OFFICE
537.ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: [Signature] Date: 7/10/92
Project Name: Stonegate at Patapsco (Aerial Property)
File Number: 90476
Waiver Number: 528
Zoning Issue: N/C
Meeting Date: 7-6-92
COUNT 1
DED DEPRM RP STP TE
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C
✓ Mark M. Dunn And Darlene Dunn 534 N/C
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 N/C
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 N/C
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 N/C
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 N/C
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 N/C
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 N/C
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 W/C
COUNT 9
FINAL TOTALS
COUNT 10

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21204-5500
JULY 13, 1992 (410) 887-4500
Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
RE: Property Owner: CHARLES J. SINAY AND E. MAE SINAY
Location: #9807 KERRIGAN COURT
Item No.: 537 (LJG) Zoning Agenda: JULY 6, 1992
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
7. The Fire Prevention Bureau has no comments at this time.
REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division
JP/KEK
RECEIVED
JUL 14 1992
ZONING OFFICE

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: [Signature] Date: 7/14/92
Project Name: Stonegate at Patapsco (Aerial Property)
File Number: 90476
Waiver Number: 528
Zoning Issue: N/C
Meeting Date: 7-6-92
DED DEPRM RP STP TE
✓ Ralph P. And Dianne L. Stern And Karen And Linda Forrester 528 N/C
✓ Mark M. Dunn And Darlene Dunn 534 N/C
DED DEPRM RP STP TE
✓ Philip E. English And Deborah B. English 535 N/C
DED DEPRM RP STP TE
✓ Clark F. And Ann S. MacKenzie 536 N/C
DED DEPRM RP STP TE
✓ Charles J. And E. Mae Sinay 537 N/C
DED DEPRM RP STP TE
✓ Amoco Oil Company 538 N/C
DED DEPRM RP STP TE
✓ John And Judy Hasler 539 N/C
DED DEPRM RP STP TE
✓ Paul J. And Marlene A. Leono 540 N/C
DED DEPRM RP STP TE
✓ W. Claymore And Carol H. Sieck 541 N/C
COUNT 9
FINAL TOTALS
COUNT 9
*** END OF REPORT ***

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
AND ZONING VARIANCE : OF BALTIMORE COUNTY
S/S Kerrigan Ct., 325' E of C/L :
Cianford Rd. (9807 Kerrigan Ct.) :
2nd Election District :
2nd Councilmanic District :
CHARLES J. AND E. MAE SINAY, : Zoning Case No. 92-504-XA
Petitioners :
ENTRY OF APPEARANCE
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204-4606
(410) 887-2188
I HEREBY CERTIFY that on this 21st day of July, 1992,
a copy of the foregoing Entry of Appearance was mailed to Charles J. and
E. Mae Sinay, 9807 Kerrigan Ct., Randallstown, MD 21133, Petitioners.
Phyllis Cole Friedman
Phyllis Cole Friedman

9812 Cianford Road
Randallstown, MD 21133
July 28, 1992
Mr. Arnold Jablon
Zoning Administration and Development
111 W. Chesapeake Avenue
Towson, MD 21204
Re: Case # C92-2070
Hearing # 92-504XA/Item 537/ August 6, 1992/ 11:30 a.m.
Dear Mr. Jablon:
This is to express my displeasure with the possibility zoning is being considered for a limited dog kennel in our residential area. I am vehemently opposed to the zoning to accommodate the proposed kennel and would like to go on record as against the zoning change which would permit Mr. Charles J. Sinay to place the kennel at his residence, 9807 Kerrigan Court.
Thank you.
Sincerely yours,
Charlotte B. Little
Copy: Mrs. Ethel Carter
President, Kings Park Association
RECEIVED
JUL 31 1992
ZONING OFFICE

To Whom it may concern,
This letter is written by a concerned home owner about Case # 92-2070.
I have lived in the King's Park Community for seventeen years. During this time there have been numerous changes but none like the negative influence a proposed dog kennel will present.
This community is known for its peace and quiet which it offers all. There is no possible way that we as homeowners can agree with having a (10) dog kennel in our midst.
Over the years Mr. & Mrs. Sinay have been very friendly, thoughtful and concerned neighbors. Our only concern must be for the entire community not just the love for pets.
Thank you
David M. White
RECEIVED
JUL 31 1992
ZONING COMMISSIONER
RECEIVED
JUL 31 1992
ZONING OFFICE
92-504-XA

THE KING'S PARK MESSENGER
FALL 1991
VILLAGE OF KINGS PARK ASSOCIATION, Inc.
GENERAL MEETING
Thursday, October 10, 1991 -- 8:00 P.M.
at
HERNWOOD ELEMENTARY SCHOOL
AGENDA
Guest Speakers:
The Woodlawn Precinct 2
MAJOR KEVIN SANZENBACHER
CAPTAIN RONALD SCHWARTZ
LIEUTENANT JOHN GAITHER
Hear and Receive Direct Information from the Top

Changes in Mardella Run, Section 2

AND... GUESS WHO'S COMING... BUT NOT FOR DINNER
Get the exciting answer at our October Meeting - DON'T MISS THIS ONE
It's What you've been waiting for

OFFICERS
Ethel Carter.....President
James Roberts.....First Vice President
Louis Harper.....Second Vice President
Open.....Corresponding Secretary
Barbara Hill.....Recording Secretary
Gene Novak.....Treasurer
Harold Carter.....Sergeant-At-Arms
Open.....Newsletter Editor
MEMBERS AT LARGE
Dale Anderson
Saul Goldberg
Frederick Johnson
Henry Pope
Phyllis Shimonkevitz
Jackie Taliaferro
Marcus Weitz
Ruth Weitz