IN RE: PETITION FOR SPECIAL HEARING
E corner intersection Harris Mill
and Preston Roads
7th Election District
3rd Councilmanic District
(920 Harris Mill Road)

Denise L. Speer Petitioner

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 01-474-SPH

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Denise Speer. The Petitioner is requesting a special hearing for property she owns at 920 Harris Mill Road which is zoned RC 2. The relief sought is from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to keep and maintain her existing 7 dogs on the property as ancillary to the use of the property as a farm.

Appearing at the hearing on behalf of the special hearing request was Denise Speer, owner of the property, Joseph Larson on behalf of Spellman & Larson, the engineering firm who prepared the site plan of the property, Kevin Smith and Robert G. Fiore, attorney at law, representing the Petitioner. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 5.2988 acres, more or less, zoned RC 2. The subject property is located on the east side of Harris Mill Road, just south of the Pennsylvania line and is improved with an existing single-family dwelling and barn. Ms. Speer resides on the property where she owns and operates a horse farm. Testimony demonstrated that she currently has 4 horses and two miniature donkeys on the farm. She actively engages in the breeding of these

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Frank S

animals. In conjunction therewith, she owns 7 dogs, all of which are housed on the property. All 7 dogs are her own personal dogs and are used on the farm to keep the property free of groundhogs, foxes and other rodents. Apparently, horses can sometimes break a leg when stepping into a groundhog hole. In addition, the dogs are used as a security measure in order to keep trespassers off the property. Ms. Speer does not keep or maintain any other dogs on the property except for her own. She has asked for special hearing relief in order to continue with this particular practice. It should be noted that Ms. Speer has lived on the subject property for the past 5 years and has always had the same 7 dogs on site. After considering the testimony and evidence presented and the lack of opposition, I find that the special hearing relief should be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Aday of July, 2001, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to keep and maintain her existing 7 dogs on the property as ancillary to the use of the property as a farm, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order,

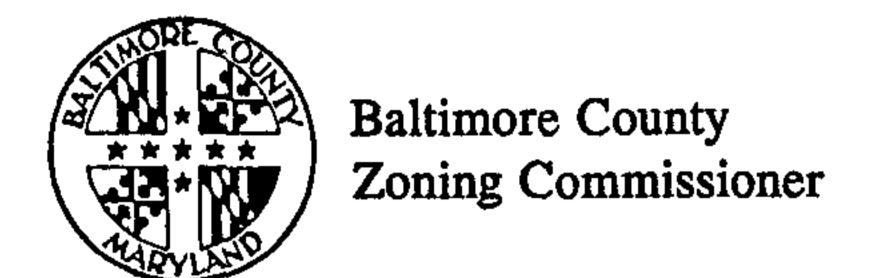
TIMOTHY M! KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

The Filling



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

July 10, 2001

Robert G. Fiore, Esquire 8600 LaSalle Road, #620 Towson, Maryland 21286

Re: Petition for Special Hearing

Case No.: 01-474-SPH

Property: 920 Harris Mill Road

Dear Mr. Fiore:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Ms. Denise L. Speer 920 Harris Mill Road Parkton, MD 21120-9265

Joseph L. Larson, P.E. Spellman & Larson 105 W. Chesapeake Avenue Towson, MD 21204



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	920 HARRIS MILL ROAD	
	presently zoned RC-2	

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve that the dogs living on the existing farm property are an ancillary use to the farm and are therefore permitted.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

		I/We do solemnly declare perjury, that I/we are the list the subject of this Petiti	and affirm, under the penalties of egal owner(s) of the property which on.	: h
Contract Purchaser/Lessee:		Legal Owner(s):	•	
^NA		DEMISE L. SPEER		
Name - Type or Print NA		Name - Type or Print	Llaco	
Signature	·	Signature		$\prod$
Address NA	Telephone No.	Name - Type or Print		
City	Zip Code	Signature 920 Harris Mill	Road 410-329-6155	
Attorney For Petitioner:		Address	Telephone	
Name - Type or Print ,	<u></u>	Parkton City	MD 21120-9265 State Zip Co	
Cinnature.	_ ·· · · · · · · · · · · · · · · · · ·	Representative to b	e Contacted:	
Signature		JOSEPH L. LARSON	<u> </u>	
Сотрапу		Name 105 W. CHESAPEAK	KE AVE. 410-823-3535	
Address	Telephone No.	Address	Telephone No md 21204	10
City	Zip Code	TOWSON.	State 21204 State Zip Co	de
		OFFIC	E USE ONLY	
		ESTIMATED LENGT	1 OF HEARING	
Case No. 01-474 SF	2+4-	UNAVAILABLE FOR I	HEARING	
		lewed By \( \lambda \l	Date 5.9.01.	,
REV 9/15/98				





POBERT E. SPELLMAN P.L.S. JOSEPH L. LARSON

#### CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

## Description for a Zoning Petition 920 Harris Mill Road Seventh District, Baltimore County, Maryland

Beginning for the same at a point on the southeast side of Old Harris Mill Road where the same is intersected by the Mason-Dixon Line dividing the state of Maryland and the state of Pennsylvania and running thence and binding on the Mason-Dixon Line due east 259.40 feet thence leaving the Mason-Dixon Line and running south 38 degrees 51 minutes 07 seconds west 247.50 feet south 38 degrees 48 minutes 37 seconds east 300.00 feet south 48 degrees 54 minutes 55 seconds west 479.97 feet to the northeast side of Harris Mill Road and running thence and binding on the northeast side of Harris Mill Road north 35 degrees 19 minutes 35 seconds west 188.86 feet north 35 degrees 13 minutes 08 seconds west 140.16 feet northwesterly by a curve to the left with the radius of 982.93 feet the distance of 15.15 feet and north 06 degrees 31 minutes 59 seconds east 30.05 feet to the southeast side of Old Harris Mill Road, herein referred to, running thence and binding on the southeast side of Old Harris Mill Road north 35 degrees 38 minutes 05 seconds east 61.00 feet north 17degrees 06 minutes 51 seconds east 53.01 feet and north 32 degrees 52 minutes 53 seconds east 394.11 feet to the place of beginning.

Containing 5.2988 acres of land, more or less.

January 24, 2001

474



The Zoning Commissioner of Baltinore County will hold a public hearing in Towson. Maryland on the property identified herein as follows:

Case #01-474-SPH 920 Harris Mill Road E corner Intersection Harris Mill & Preston Roads 7th Election District Legal Owner(s): Denise L. Speer Special Hearing: to permit dogs living on the existing farm property are an ancillary use to the larm and are therefore permitted.

Hearing: Monday, July 2, 2001 at 9:00 a.m. In Room 407, County Courts Building, 401 Bosley Avenue.

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handlcapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing Contact the Zoning Review Office at (410) 887-3391

6/102 June 14 C474853

## CERTIFICATE OF PUBLICATION

6/14,2001	, , ,
THIS IS TO CERTIFY, that the annexed advertisement was pub	lished
in the following weekly newspaper published in Baltimore County,	Md.,
once in each ofsuccessive weeks, the first publication appears on	aring
The Jeffersonian	
☐ Arbutus Times	, ,
Catonsville Times	<u> </u>
Towson Times	'
Owings Mills Times	-
☐ NE Booster/Reporter	
North County News  MULLING	,
LEGAL ADVERTISING	1 -

BALTIMORE COUNTY, MARYLAND  OFFICE OF BUDGET & FINANCE  No.  92879  MISCELLANEOUS RECEIPT	
DATE 5-901 ACCOUNT 001-006-6150 (ELIPT II 103075)	001 09:21:29
AMOUNT \$ 72 1/0. 092079    Company   Compa	
FOR:	
DISTRIBUTION WHITE CASHIER PINK AGENCY YELLOW CUSTOMER  CASHIER'S	VALIDATION

RE:	Case No.:	01-4	14-51	4
	Petitioner/De	veloper <u> </u>	- 	/
	<u> </u>	<u></u>	<u> </u>	
	Date of Heari	ing/Closing:		

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

Pit® Fax Note 7671	Date # of pages
То	From
Co./Dept	Co.
Phone # - FETTY ROPIN	Phone #
Fax#	Fax #

This letter is to certify under the penalties of perjury that the necessary s	ign(s) re	quired by I	VIS
į.		1.	$J_*J_*$
were posted conspicuously on the property located at	<del> </del>		
	<u> </u>	<u> </u>	- 
	i I	-	,

The sign(s) were posted on

/ (Month, Day, Year)

Sincerely,

	-
ZONING NOTICE	1
LVIIII NUICE	(Signa

Case # 01 474 SPH A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD. PLACE : 451 Act . (1877) TIME & DATE : MONDAY, JULY 2,200 AT 9 40AM SPECIAL HEARING TO PERMIT DOES LIVING ON THE CRISTING FARM PROPERTY ARE AN ANCILLARY USE TO THE FARM AND ARE THEREFORE PERMITTED. ("970 HACES MILL ED)

970 HARRIM MILL R.D. SPILE / KEVIN SMITH -7/2/01 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

PENNY LANE

(Address)

UNT VALLEY, MD. 21039

(City, State, Zip Code).

410-666-5366; CELL-410-905-8571

(Telephone Number)

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:
Petitioner: MS-Denise Speen
Address or Location: 920 Hanss Mill Rd.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Ms. Donise Speen
Address: 920 Hanis Mill Rd.
Parkton Nd. 21120.
Telephone Number: 410-329-6155



Baltimore County Department of Permits and Development Management

Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

June 6, 2001

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-474-SPH

920 Harris Mill Road

E corner intersection Harris Mill & Preston Roads

7<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Denise L Speer

Special Hearing to permit dogs living on the existing farm property are an ancillary use to the farm and are therefore permitted.

**HEARING:** 

Director

Monday, July 2, 2001 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Arnold Jablon 672

C: Denise L Speer, 920 Harris Mill Road, Parkton 21120 Joseph L Larson, 105 W Chesapeake Ave, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 16, 2001.

HEARING'S ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, June 14, 2001 Issue - Jeffersonian

Please forward billing to:

Ms Denise Speer 920 Harris Mill Road Parkton MD 21120

410 329-6155

### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-474-SPH

920 Harris Mill Road

E corner intersection Harris Mill & Preston Roads 7<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Denise L Speer

Special Hearing to permit dogs living on the existing farm property are an ancillary use to the farm and are therefore permitted.

HEARING: Mo

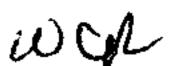
Monday, July 2, 2001 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

LAWRENCE E. SCHMIDT Gワン ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

\*\*\* HEARING ROOM - Room 48 \*\*\*

Basement –Old Courthouse 400 Washington Avenue

#### APPEAL HEARINGS SCHEDULED FOR THE WEEK OF SEPTEMBER 2, 2002

TUESDAY

9/03 NO HEARINGS

WEDNESDAY

9/04 10:00 am

Case No.: 01-474-SPH

/HEARING

In the Matter of:

Denise L. Speer – Legal Owner 920 Harris Mill Road

7<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic District

RE: SPH - to keep and maintain existing 7 dogs on property as ancillary to use of property as a farm

**THURSDAY** 

9/05

10:00 am

Case No.: CBA-02-106

/HEARING

In the Matter of:

Dale Stable - Applicant

821 Century Street, Hampst4ead, MD 21074

RE: ERS Decision / Rescinded Accidental Disability Benefits

c:

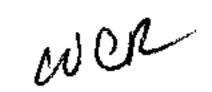
Executive Office Law Office

Director /PDM

People's Counsel Planning Office

Court Info. Desk

County Council
Board Members
Court Reporter





OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

March 22, 2002

#### NOTICE OF ASSIGNMENT

CASE #: 01-474-SPH

IN THE MATTER OF: Denise L. Speer -Legal Owner /Petitioner 920 Harris Mill Road 7<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic

7/11/2001 - D.Z.C.'s Order in which special hearing was GRANTED.

**ASSIGNED FOR:** 

THURSDAY, JUNE 20, 2002 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

Counsel for Petitioner

Petitioner

: Robert G. Fiore, Esquire

: Denise L. Speer

Joseph L. Larson PE/Spellman & Larson

Kevin D. Smith

Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Director, Office of Planning
James H. Thompson, Code Enforcement /PDM [Ref 01-0191]
Arnold Jablon, Director /PDM

MAR 2 5 2002

PET DE CEMPE DE LES LES LA CONTRE LA





OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

April 9, 2002

#### NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 01-474-SPH

IN THE MATTER OF: Denise L. Speer -Legal Owner /Petitioner 920 Harris Mill Road 7th Election District; 3rd Councilmanic

7/11/2001 - D.Z.C.'s Order in which special hearing was GRANTED.

which was assigned to be heard on 6/20/02 has been **POSTPONED** at the request of Counsel for Petitioner due to trial schedule conflict /Circuit Court for Howard County; and has been

**REASSIGNED FOR:** 

WEDNESDAY, SEPTEMBER 4, 2002 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

¢:

Appellant

: Office of People's Counsel

Counsel for Petitioner

: Richard C. Burch

Petitioner

: Denise L. Speer

Robert G. Fiore, Esquire

Joseph L. Larson PE/Spellman & Larson

Kevin D. Smith

Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Director, Office of Planning
James H. Thompson, Code Enforcement /PDM [Ref 01-0191]
Arnold Jablon, Director /PDM

ADD 1 0 0000



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

August 30, 2002

#### SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 01-474-SPH

IN THE MATTER OF: Denise L. Speer -Legal Owner /Petitioner 920 Harris Mill Road 7<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic

7/11/2001 - D.Z.C.'s Order in which special hearing was GRANTED.

which was assigned to be heard on 9/04/02 has been **POSTPONED** at the request of Counsel for Petitioner, with agreement by People's Counsel; and has been

**REASSIGNED FOR:** 

THURSDAY, FEBRUARY 13, 2003 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

¢:

Appellant

: Office of People's Counsel

Counsel for Petitioner

Petitioner

: Richard C. Burch

Robert G. Fiore, Esquire

: Denise L. Speer

Joseph L. Larson PE/Spellman & Larson

Kevin D. Smith

Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Director, Office of Planning
James H. Thompson, Code Enforcement /PDM [Ref 01-0191]
Arnold Jablon, Director /PDM



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

September 4, 2002

#### THIRD NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 01-474-SPH

IN THE MATTER OF: Denise L. Speer -Legal Owner /Petitioner 920 Harris Mill Road 7th Election District; 3rd Councilmanic

7/11/2001 - D.Z.C.'s Order in which special hearing was GRANTED.

which was reassigned to be heard on 2/13/03 has been POSTPONED at the request of Counsel for Petitioner, without objection by People's Counsel; and, upon confirmation of counsel, has been

**REASSIGNED FOR:** 

WEDNESDAY, FEBRUARY 26, 2003 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

C:

Appellant

: Office of People's Counsel

Counsel for Petitioner

Petitioner

: Richard C. Burch

1 curionel

: Denise L. Speer

Robert G. Fiore, Esquire

Joseph L. Larson PE/Spellman & Larson

Kevin D. Smith

Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Director, Office of Planning
James H. Thompson, Code Enforcement /PDM [Ref 01-0191]
Arnold Jablon, Director /PDM



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

June 29, 2001

Denise L Speer 920 Harris Mill Road Parkton MD 21120

Dear Ms. Speer:

RE: Case Number: 01-474-SPH, 920 Harris Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 9, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. GDZ.

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Joseph L Larson, 105 W Chesapeake Avenue, Towson 21204 People's Counsel

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** June 4, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-464, 01-473, 01-474, 10-477, & 01-479

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Nack A Cumb

Section Chief:

AFK/JL:MAC



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

June 5, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 21, 2001

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

461, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, **474**, 477, 478, 479, 482, 483,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887~4881, MS-1102F

cc: File

RE: PETITION FOR SPECIAL HEARING
920 Harris Mill Road, E corner intersection Harris
Mill & Preston Rds
7th Election District, 3rd Councilmanic

Legal Owner: Denise L. Speer Petitioner(s)

- BEFORE THE
- ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 01-474-SPH

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to Joseph L. Larson, Spellman, Larson & Assoc., Inc., 105 W. Chesapeake Avenue, Towson, MD 21204, representative for Petitioners.

PETER MAX ZIMMERMAN

## BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June 5, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 29, 2001

Item Nos. 461, 463, 464, 465, 466, 467, 469, 470, 472, 473, 474, 475, 478, 480,

483, and 006

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

#### Note To File:

It has been the Zoning Office's position that in order for more than 3 dogs to be exempt from "kennel" consideration as an "ancillary use" to a farm, that it must be demonstrated that the dogs are an essential element in the operation of the farm, not that the dogs are just being bred or housed on the property.

## Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

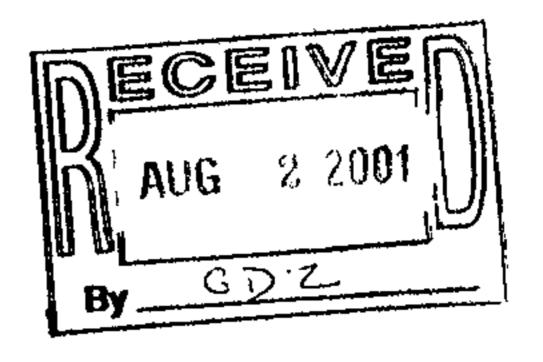
PETER MAX ZIMMERMAN People's Counsel

August 2, 2001

CAROLE S. DEMILIO
Deputy People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered



Re: PETITION FOR SPECIAL HEARING
920 Harris Mill Road, E corner intersection
Harris Mill & Preston Rds

7th Election Dist., 3rd Councilmanic Denise L. Speer, Petitioner

Case No.: 01-474-SPH

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated July 11, 2001 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

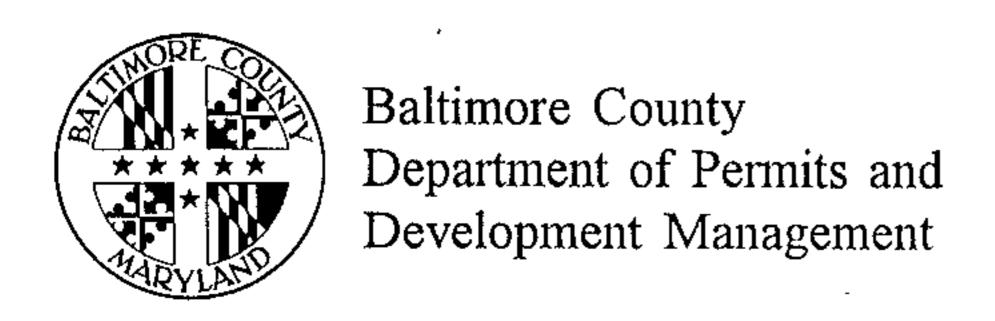
People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

cc: Robert G. Fiore, Esq., 8600 LaSalle Road, Suite 620, Towson, MD 21286 Attorney for Petitioner



Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353

Fax: 410-887-5708

August 3, 2001

Ms Denise L Speer 920 Harris Mill Road Parkton MD 21120-9265

Dear Ms. Speer:

RE: Case No. 01-474-SPH, 920 Harris Mill Road

Please be advised that an appeal of the above-referenced case was filed in this office on August 2, 2001 by Office of People's Counsel, Baltimore County, Maryland. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sjncerely,

Arnold Jablon 602 Director

AJ: gdz

c: Joseph L Larson PE, Spellman & Larson, 105 W Chesapeake Ave, Towson 21204 Robert G Fiore Esquire, 8600 LaSalle Road #620, Towson 21286 Kevin D Smith, 920 Harris Mill Road, Parkton 21120 People's Counsel

#### **APPEAL**

Petition For Special Hearing
920 Harris Mill Road
E Corner intersection Harris Mill & Preston Roads
7<sup>th</sup> Election District — 3rd Councilmanic District
Denise L Speer - Legal Owner
N/A - Contract Purchaser
Case No.: 01-474-SPH

Petition for Special Hearing (dated 5/9/01)

Zoning Description of Property

Notice of Zoning Hearing (dated 6/2/01)

Certification of Publication (The Jeffersonian issue dated 6/14/01)

Certificate of Posting (Patrick M O'Keefe posted dated 6/12/01)

Entry of Appearance by People's Counsel (dated 6/4/01)

Petitioner(s) Sign-In Sheet (1 Page)

Protestant(s) Sign-In Sheet (None)

Citizen(s) Sign-In Sheet (None)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plat To Accompany Petition For Special Hearing (dated 3/9/01)

Protestants' Exhibits:

(None)

Miscellaneous (Not Marked as Exhibits):

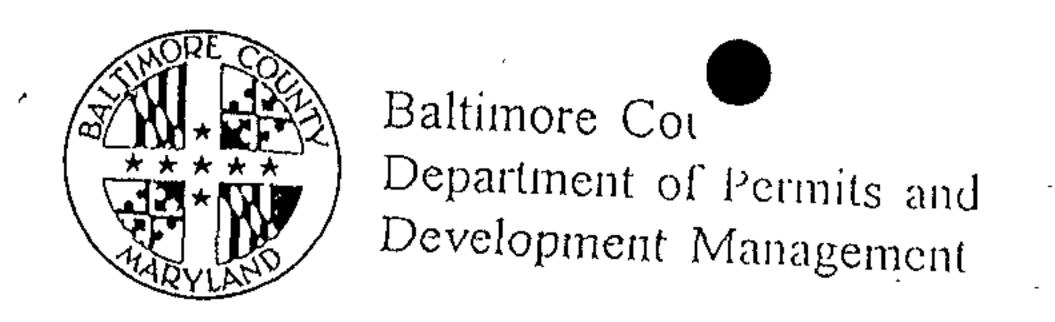
Division Of Code Inspections & Enforcement Violation Case Documents (Violation Case: 01-0191)

Deputy Zoning Commissioner's Order (dated 7/11/01 - GRANTED)

Notice of Appeal received on August 2, 2001 from Peter M Zimmerman, Office of People's Counsel, Baltimore County, Maryland

c: Denise L Speer, 920 Harris Mill Road, Parkton 21120 Robert G Fiore Esquire, 8600 LaSalle Road, Suite 620, Towson 21286 Joseph L Larson PE, Spellman & Larson, 105 W Chesapeake Ave, Towson 21204 James H. Thompson, Code Enforcement (Enforcement Case No. 01-0191) People's Counsel of Baltimore County, MS #2010 Timothy Kotroco, Deputy Zoning Commissioner Arnold Jablon, Director of PDM

date sent



Permits and Licenses
County Office Building
III West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax (410) 887-2824

April 11, 2001

Joseph L. Larson Spellman, Larson & Associates, Inc. 105 W. Chesapeake Avenue Towson, MD 21204

01-0191

Dear Mr. Larson:

RE: Zoning Verification Letter, Farm Use Vs. Kennel, Speer Property 920 Harris Mill Road, 7<sup>th</sup> Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Based upon the information provided therein and our research of the zoning records, the following has been determined.

The property known as Speer Property located at 920 Harris Mill Road is currently zoned R.C.2 (Resource Conservation – Agricultural Protection) as per official Zoning Map # NW 39-B. Please be advised that if the property is used as a farm, as defined in Section 101 of the Baltimore County Zoning Regulations (BCZR), the dogs living on the property contribute to the everyday operations of that farm (i.e. guarding the property), these dogs (which may exceed three), may be permitted on the farm. However, the determination as to whether or not, the dogs are an ancillary use to the farm is an issue that must be decided by the Zoning Commissioner via Special Hearing. Alternatively, if you want approval for a kennel you may apply for petition for Special Exception.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerety,

dun R. Fernando

Planner II Zoning Review

JRF:aem

Enclosure

Printed with Soybean Ink on Recycled Paper

14

Form B18(Official Form 18)

(9/97)

920 HARRIS ANKRUPTCY COURT District of Maryland (Baltimore)

5/14/01 J.T.

In Re:

Denise Lynn Speer 920 Harris Mill Road Parkton, MD 21120

Case Number: 01-51126

Chapter: 7

Debtor

Social Security Number: Debtor: 215-76-0609

## DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, IT IS ORDERED: The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

Dated: 05/09/01

**BY THE COURT** 

James F. Schneider United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

029806

### To Whom it may concern:

We, the undersigned are neighbors in close proximity to Denise Speer's farm. The dogs that reside on the property are in no way a nuisance to our neighborhood. They perform a service to Ms. Speer, alerting her to people approaching her farm. Because they are watchdogs, naturally they bark. However, they bark during the day, and they are not left outside at night. Moreover, we certainly do not perceive these dogs to be vicious or dangerous in any way. They are contained on her property, which is completely fenced.

Name: Jarens Ulmahr	Address: 1000 Happes Mill
Name: John Jour Landing	Address: 10 ( ) / a a 10
Name: Parbara armilla	Address: 110 Haveis Mill Col
Name Patrice But But Bowel.	Address: 1001 Hurris Mill Rd.
Name:	Address:
Alama a.	Address:
N I =	Address:
N I	Address:

#### To Whom it may concern:

We, the undersigned are neighbors in close proximity to Denise Speer's farm. The dogs that reside on the property are in no way a nuisance to our neighborhood. They perform a service to Ms. Speer, alerting her to people approaching her farm. Because they are watchdogs, naturally they bark. However, they bark during the day, and they are not left outside at night. Moreover, we certainly do not perceive these dogs to be vicious or dangerous in any way. They are contained on her property, which is completely fenced.

Name: Joseph 7/ Leisinger	Address: 18497 Treston Kd
Name: B. a League	Address: 18331 Freshox Rd
Name:	Address:
L 1	Address:
	Address:
<b>.</b> •	Address:
Name:	Address:

"Lehman" <fsllml@sunnyfl.net> on 02/02/2001 10:10:06 AM



To:

"Denise Speer" <denise.speer@zurichus.com>

cc:

Subject: Re: Mailing

Prior to 1996

Sorry neighbor, don't have anything. His complaint to me about the spring on your property were verbal, I seem to recall however that he stated he made complaints to "The County" and was waiting to see if they were going to do anything. He alleged that I graded around the spring, thereby lowering it without any county permit which caused his spring located in Pennsylvania to go dry. I had the topo elevations noted on the "Harris Mill" plat and informed and showed him that the original spring had not been touched. No other grading had been done except to construct the berms around the run off from the spring to contain water so it could be used in the event property purchasers wanted to apply for a pond permit later. Only thing I have left here is a copy of the subdivision, covenants, and sales contracts for the lots.

Sorry I can't help more.

FRED

---- Original Message -----

From: Denise Speer
To: fsllml@sunnyfl.net

Sent: Friday, February 02, 2001 9:03 AM

Subject: Re: Mailing

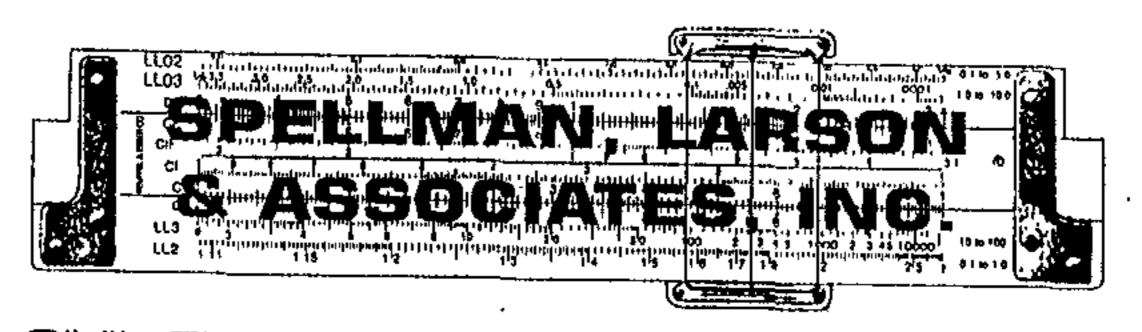
Fred-

Do you have any documents of any of Miscowski's complaints? I asked Mike & Barbara to look in the file that you left them, but I thought you might have something down there.

Thanks,

Denise





HOBERT E. SPELLMAN, P.L.S. JÜSEPH L. LARSON

#### CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

Ms. Denise L. Speer 920 Harris Mill Road Parkton, MD 21120-9265

April 30, 2001

Re:

Harris Mill Road

Job No. 201003

Dear Denise,

I conducted your Zoning Filing Conference for a Special Hearing this morning as required by the April 11, 2001 letter from the Office of Zoning.

The Conference was very positive and went very well, whereby we are now in a position to file all the necessary plats and documents to schedule the formal Zoning Hearing.

I have attached hereto three (3) copies of the Special Hearing Petition for you to sign and return to me with a check for \$50.00 to cover the Processing Fee.

Should you have any questions with regard to any aspects of the procedures involved, please do not hesitate to contact me at any time.

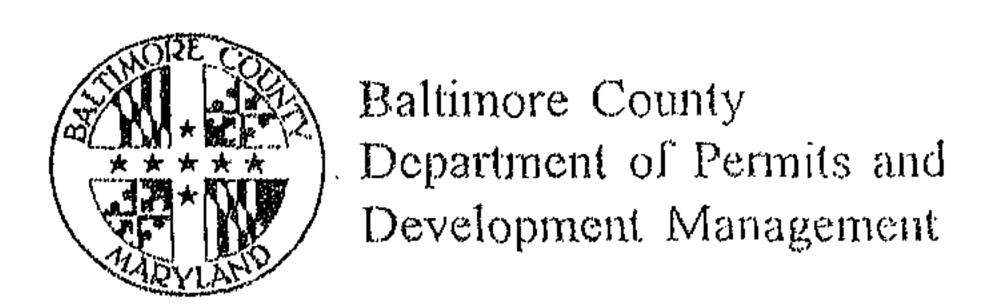
Please have the Petitions and check returned to this office timely so that we may move ahead as quickly as possible to have this Violation expunged.

Very truly yours,

Joseph L. Larson, President SPELLMAN, LARSON & ASSOC., INC.

JLL:jll

cc: Donna Thompson File #L04300101



Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

May 1, 2001

Denise L. Speer 920 Harris Mill Road Parkton, Md. 21120 9265

Re: Case No. 01-0191, 920 Harris Mill Road

Dear Ms. Speer:

Please be advised that a Code Enforcement Hearing has been scheduled for June 6, 2001 at 9:00 a.m. in Room 116 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204. The Hearing is based on a civil citation issued with respect to certain violations concerning the above property. It is important that you appear for the hearing and state your side of the case.

If you have any questions please contact Inspector Donna Thompson at 410-887-3951, voice mail 7295.

Sincerely,

Kitty Popelarski Code Enforcement

cc: Donna Thompson, Code Enforcement Inspector Vincent Miscoski, 18614 Preston Road, New Freedom, Md. 17349

01-0191



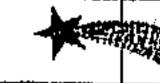
Census 2000



For You, For Baltimore County



Census 2000



Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No 01-0191

Denise L. Speer

920 Harris Mill Road

Respondent

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

#### FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 6 June 2001, for a hearing on a citation for violations under the Baltimore County Zoning Regulations for operation of a Kennel on residential property zoned RC2, located at 920 Harris Mill Road.

Donna Thompson, code enforcement inspector stated that the County received a complaint concerning the use of the property. The property was inspected on 17 January 2001 and an inspector found seven (7) adult dogs and two (2) pupples.

On 17 January 2001, the inspector issued a written correction notice pursuant to §1-7(c), Baltimore County Code, which described with particularity the nature of the violation and the manner of correction. The correction notice was marked in evidence as PEx1 and was served on the Respondent.

On 15 March 2001, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued. The citation was marked as PEx3 and was legally served on the Respondent.

The citation described the violations as follows: Baltimore County Zoning Regulations, §101; 102.1; 1A01.2C.2; 421.1, operation of a kennel without benefit of a Special Exception. Further, the citation proposed a civil penalty of \$600 to be assessed. A code enforcement hearing date was scheduled for 6 June 2001.

Robert Graham Fiore, represented Ms. Speer. Ms. Speer testified that at present there are seven (7) dogs on the property, four (4) Bloodhounds, two (2) Otterhounds and one (1) black and tan Coonhound. Ms. Speer stated that there are two (2) minature donkeys; three (3) horses and one (1) zebra on the property. She stated the hounds were not for breeding purposes as they are all spaded or neutered.

1

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

She also stated that they were not used as hunting dogs nor at the present as tracking dogs. The Coonhound for instance was a rescued dog that needed a home. She stated the dogs are contained within a fenced compound. She stated the dogs are friendly but will bark at persons entering the property. The dogs sleep in the basement of the house at night according to Ms. Speer. Ms. Speer testified that she considers the dogs as watch dogs or guard dogs as they let her know when intruders enter her property. Ms. Speer submitted documentation marked as RespEx5 showing the land qualifies as an agricultural use. Ms. Speer testified that the donkeys, horses and zebra were on the property for breeding purposes.

It is the opinion of this Hearing Officer that the property fulfills an agricultural use on land zoned RC2, which typically signifies the land as prime agricultural land. The property meets the definition of a farm.

At first glance, it appears that since the property meets the definition of a farm, it also would qualify for the exemption afforded a farm for a kennel if the dogs are an ancillary use to the farm. In this case, it has not been proved that the dogs or kennel use are an ancillary activity in that it does not originate from the primary agricultural use (equine animal husbandry practices).

The dogs perform no function relative to the equine ventures and therefore no considered ancillary or secondary to the principal agricultural operations.

Though it appears in the Baltimore County Zoning Regulations that a farm would be entitled to exclusion, it must meet the standards of actually being secondary and ancillary to the principal use to enjoy such exclusion. This condition has not been met. If the dogs were bred, trained and raised to guard the livestock or herd the livestock, then the exclusion would be allowed. The dogs must be working dogs inherent to the use of the primary agricultural use. A sheep raising venture comes to mind as sheep dogs are bred, trained, and raised to guard the herd or herds from predators, and herd the animals to and from pastures.

In this case, the dogs in the Hearing Officer's opinion are pets. Although they may bark when strangers arrive, they are not used to guard, herd and protect the donkeys, horses and zebra.

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

This opinion is essentially the same as that found in Civil Citation 98-6302, which was upheld in the Board of Appeals and affirmed by the Circuit Court for Baltimore County in Civil Action No. 03-C-99-11441.

Pursuant to the correction notice and subsequent code enforcement citation issued, and hearing held, and for the reasons set forth above, it is found as a matter of law that code violations existed from 17 January 2001, and the violations are continuing.

THEREFORE IT IS ORDERED by the Code Enforcement Hearing Officer, This 8<sup>th</sup> day of June 2001 as follows:

- (1) A civil penalty is imposed in the amount of \$600;
- (2) The civil penalty in the amount of \$600 shall be suspended on condition the Respondent reduce the number of dogs to three (3) or file and obtain a Special Exception for the operation of a kennel on or before 4 September 2001. If the Respondent fails to correct the violations in the time allotted or any extension granted for good cause shown, then the civil penalty imposed shall be \$600

IT IS FUTHER ORDERED that the inspector monitor the property to determine whether the violations have been corrected.

Signed:

Raymond S. Wisnom, Jr.

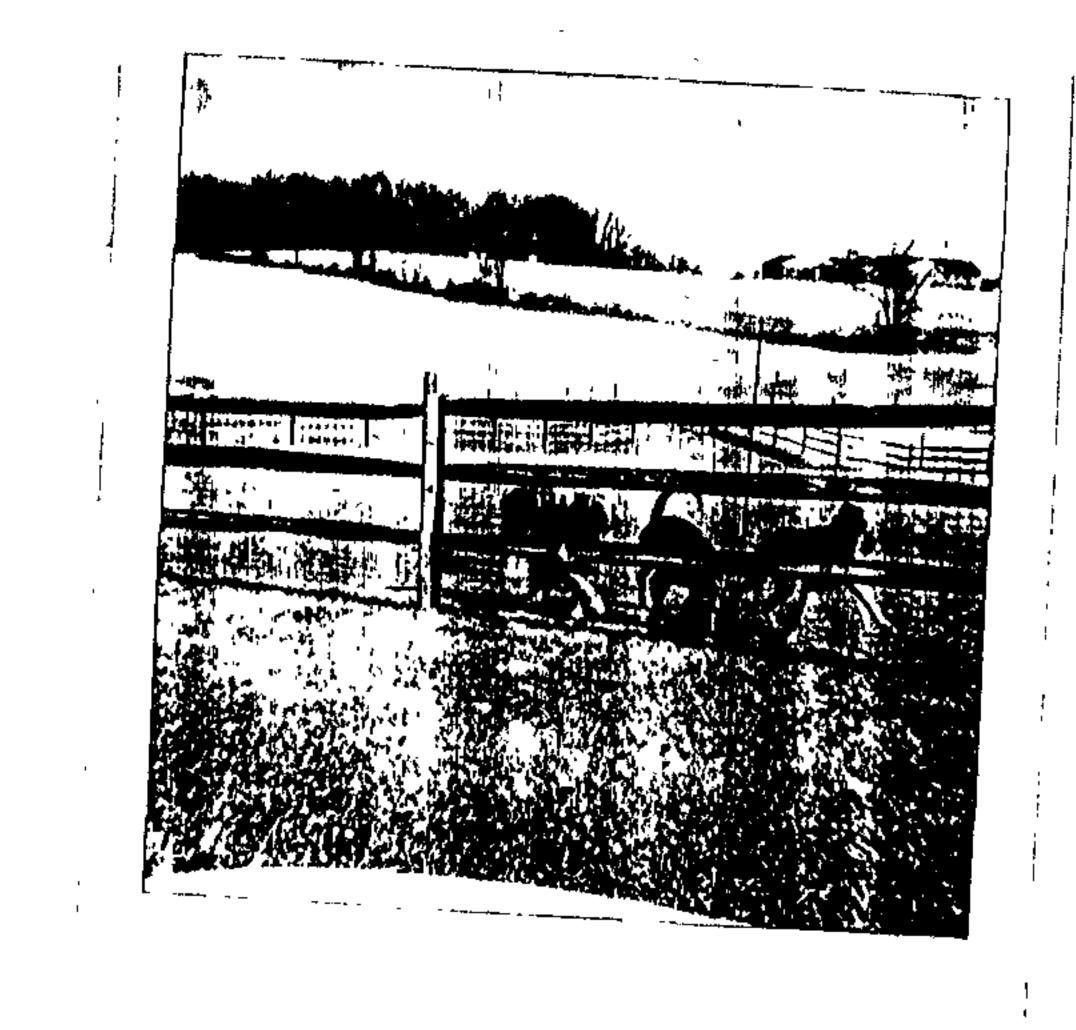
Code Enforcement Hearing Officel

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the amount of the civil penalty must be posted with the Director.

# PHOTOGRAPHIC RECORD

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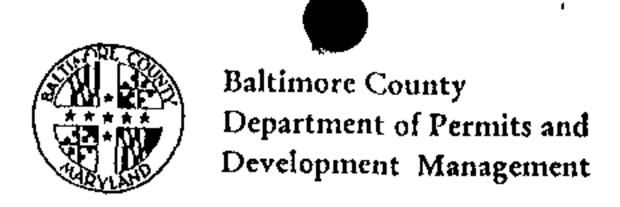
Citation/Case Number: 0 -0 9   Date of Photographs: 3 14 0	



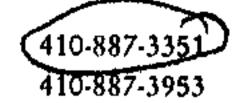
I HEREBY CERTIFY that I took the photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

1/14/00

Enforcement Officer



Code Enforcement: Building Inspection:



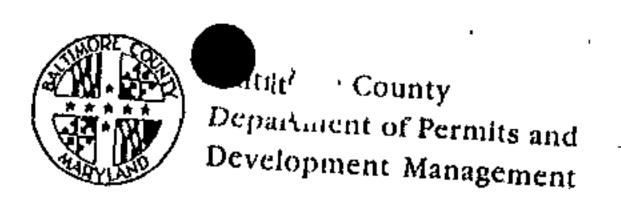
Code Inspections and Enforcement County Office Building 111 West Chesapeake Avenue Towson, MD 21204

Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

#### BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 01-0191 Property No. 21 00 012744 Zoning!
Name(s): SPEER DENISE L
Address:  920 HARRIS MILL RD PARKTONMO 21/20 Violation
Location: SAME
BCZR. 101; 103, 1; 1302.1; 1.70; 421.1)
O Cease THE OPPERATION OF A KENNEL FROM
YOUR RESIDENCE OR APPLY FOR A SPECIAL EXCEPTION HEARING AT III WEST CHESAPEAKE AVE. TOUSON MD.
FAILURE TO COMPLY = 200 M DAY FINE THE CAN BE PLACED AS A LIEN ON YOUR PROPERTY TAX.
YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:
On or-Before: Date Issaed:
FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL PINES OF \$200. \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.
Print Name John Tsiquinis
NSPECTOR: John Frigueini
STOP WORK NOTICE PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN;
Not Later Than:
NSPECTOR:
AGENCY



Code Inspections and Enforcement County Office ding 111 West Chesapeake Avenue Towson, MD 21204

Code Enforcement: Building Inspection:

410-887-3351 X7-295

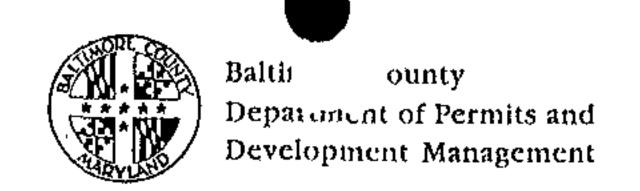
410-887-3953

Plumbing Inspection:

410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE Citation/Case No. Property No. Zoning: Name(s): DENISE SPEER Address: HARRIS MILL RD PARKTON, MO 21120-Violation Location: 920 HARRIS MILL RD. 21120 Violation Dates: BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS: OPERATION KENNEL FROM OF RESIDENCE WITHOUT THE DENEFIT OF A SPECIAL EXCEPTION. Pursuant to Section 1-8, Baltimore County Code a civil penalty / has been assessed, as a result of the violation cited herein, in the amount indicated: 00 A quasi-judicial hearing has been pre-scheduled in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, for: Date: Time: 9:00 Citation must be served by: AM Date: I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief. THOMPSON Donna Thompson Date. Inspector's Signature SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION NOTICE OF INTENTION TO DEFEND Print Name: Citation/Case No.: Address: Date Defendant's Signature AGENCY



Code Inspections and Inforcement
County Office Bu g
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: Building Inspection: 410-887-3351 X7295 410-887-3953

Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Cas	e No.   9	Property		794		Zoning:	2. 2
Name(s):	DENIS	SE L	SPE	ER	<u></u>		
Address:	920 H	ARRIS	MIT	Ro., P	ARKTO	on mo	21120-
Violation Location:		1	<del></del>	<u></u>	4.11	<u> </u>	
Violation	920	THKKID	11111	<u> KD.,</u>	االم	90	
Dates:	01/17	01	02 20	01, 2	<i>J</i>	01	
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WITHO	OT THE	BEN	EEIT	OF A	SPE	CIAL E	XCEPTION,
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Pursuant to Se	ction 1-8, Ba	timore Cou	nty Code, a	civil penalty	y	· · · · · · · · · · · · · · · · · · ·	
has been assess the amount in	ed, as a resul dicated:	t of the viol	ation cited l	herein, in	\$	1000.	00
Λ quasi-judicia	l hearing has	been pre-scl	neduled in I	Room 116,	13	oate:	
111 West Ches	apeake Avent	ie, Towson,	Maryland,	for:	L [1]	ime: 0	101
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Citation must	be served by:				Ū	0E 18"	101
do solemnly o	leclare and af	firm, under	the penalty	of perjury, t	hat the	contents state	ed above are true
and correct to the Print Name:	the best of my	knowledge	, informatio	on, and belie	<u>f.</u>	<del></del>	
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AGENCY

#### CASE NO.

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs.	DENISE L. SPIELO
Hearing Date H 10 0 Issued Date	Desendant
Please serve the attached process on the person shown.	QUEST FOR SERVICE
are unable to serve, you are to make your return on this the termination of the validity of the process.	DER FOR SERVICE  ess and to make your return promptly on this Order if served, and if you  Order and return the original process no later than the last day following
! hereby CERTIFY that:	OOF OF SERVICE
A Citation and all other papers filed with it were ser  A Citation and all other papers filed with it were ser	ved by restricted delivery mail, return card attached, ved by personal delivery to
- on	Name
Title	Date Time a.m./p.m.
Description of defendant: Race	Sex Height
Weight Age	Other
The premises at	
I solemnly attended	De Thompson
information, and belief, and do further affirm that I am a con	ntents of the foregoing paper are true to the best of my knowledge. Appetent person over 18 years of age and not a party to the case.
Signature	
	Title
Address	Telephone No.
Date	-,
Rev 9/98	Time a.m./p.m.

	U.S. Postal Ser CERTIFIED (Domestic Mai	A A La	ce Coverage Provided)
4564			ce Coverage Provided)
7	DENISE	L. SPEER	2430
4 1.00	Postage Certified Foo	\$ .34	1001
	Return Receipt Fee Endorsement Required) Restricted Delivery Fee Endorsement Required)	1.50	Postmark
TU Na	me (Please Print Class	\$ 3.74/ Ty) (To be completed by	01-0191 TH
	20 HARRIS	MILL RD.	
PS	Form 3800, July 1999	21120-92 See	Reverse for Instructions

i

	· - •	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpied or on the front if space permits. 01 - () 19</li> </ul>	A. Received by (Please Print Clea C. Signature	B. Date of Delivery  27/3-16-01  Agent
1. Article Addressed to:	D. Is delivery address different from	Addressee
DENISE L. SPEER.	If YES, enter delivery address b	pelow: No
920 HARRIS MILL RD.		
PARKTON, MD 21120-9	2 (5	
	3. Service Type (V Cortified Mall Cortified Mall Return R	ecelpt for Merchandise
2. Article Number (Copy from service label)	4. Restricted Delivery (Extra Lee)	☐ Yes
101 3220 0003	4100 46.64	
S Form 3811, July 1999 Domes	stic Return Receipt	100505 00 11 1005
* 1 min	No managent product	102595-99-M-1789

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	NOTICE OF INTENTION TO DEFEND  Print Name:
     	Address: Citation/Case No.:
	3/20/01 MARRIS MILL RD.
	Date Defendant's Signature
٠,	DEFENDANT

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W

## U )ATE/MESSAGE FC. M

Date: 5/101  Time: a.m. p.m.  Inspector: Downson	-
Case Number: 01-0191 Address: 950 Harriw Mill Pd., 21120	
Comments: Defendent represented by Ope Law Will file for Special Hearing - Continuance in 5 weeks PU 6/10/20	
ENTERED INTO AS400	

Case Entry/Update Format . . . :

CASREC

Mode . . . :

CHANGE

Dt Rec: 1162001

File . . . :

PDLV0001

Insp: THOMPSON, D

Intake: UNDERWOOD, H

Case #: 01-0191

Address:

920

Complainant Name (Last): MISCOSKI

HARRIS MILL RD

Insp Grp: ENF Insp Area: 11 Tax Acct: 2100012794

Problem Descript .: 9 DOGS

Apt #: Zip: 21120

(First):

Act:

PRESTON RD

State: MD Zip: 17349

VINCENT

Complainant City: NEW FREEDOM Complainant Phone (H): 7172270309 Date of Reinspection: 9072001 Date Closed:

Complainant Addr: 18614

(W):

Delete Code (P):

F3=Exit F9=Insert

F5=Refresh F10=Entry

F6=Select format

F11=Change

Case Entry/Update
Format . . . : CASREC File . . . : PDLV0001

Notes: 1/17/01 - SPOKE WITH MR KEVIN SMITH, BOYFRIEND. HE SAID HE HAS A DOG-7 ADULTS, 2 PUPPIES ABOUT 6 MONTHS OLD. I ISSUED A CORRECTION NOTICE-30 DAYS TO CEASE OPPERATION ON A KENNEL FROM A RESIDENCE OR APPLY FOR A SPECIAL EXCEPTION. I HANDED HIM THE NOTICE AND MAILED AND EXPLAINED THE LAW TO HIM. THEY SAID THEY WILL GO FOR A SPECIAL HEARING. INFORMED COMPLAINANT. P/U 2/17/01 TO SEE IF HEARING HAS BEEN FILED (J.TS) \*\*2/20/01 - VISITED SITE. BOYFRIEND STATED THAT OWNER FILED FOR HEARING FOR DOGS THEY ONLY OWN DOGS. DO NOT BREED OR SELL. CITATION ISSUED, MUST BE SERVED BY 3/8/01. HEARING 4/10/01 (D.THOMPSON) \*\*3/9/01 - UNABLE TO SERVE CITATION. NEW SERVICE DATE 3/24/01, W/HEARING ON 4/24/01 9AM (D.THOMPSON) \*\*3/14/01 - TRIED TO SERVE CITATION AGAIN. 2 VEHICLES AT HOUSE, NO ONE ANSWERED AT DOOR. 7 DOGS OUTSIDE. RE-ISSUED CITATION REFLECTING THIS DATE. SENT CERTIFIED MAIL. P/U 3/30/01 FOR SERVICE. (DT) \*\*3/15/01 - CERTIFIED MAIL (CITATION) SENT TO DENISE SPEER, 920 HARRIS MILL ROAD PARKTON 21120-9265. (SCJ) \*\*3/21/01 - GREEN CARD

F3=Exit F9=Insert F5=Refresh F10=Entry

F6=Select format F11=Change

Case Entry/Update Mode . . . : CHANGE Format . . . : CASREC File . . . : PDLV0001 Notes 2: RETURNED AND PUT ON DOCKET FOR 5/01/01. K.P. \*\*3/22/01 - NOTICE OF INTENTION TO DEFEND CAME BACK DATED 3/20/01 FROM D. SPEER. K.P. \*\*5/1/01 - DEFENDENT REPRESENTED BY JOE LARSON. WILL FILE FOR SPECIAL HEARING. CONTINUANCE IN 5 WEEKS. POP-UP 6/1/01. (DTH/SCJ) \*\*5/1/01 - RESCHEDULED AND PUT ON DOCKET FOR 6/6/01. SENT CHANGE OF DATE LETTER WITH COPY TO COMPLAINANT, K.P. \*\*5/21/01 - LETTER ADDRESED TO MR. LARSON WITH COPY TO MS. SPEER STATING THAT THE HEARING FOR 6/6/01 WILL TAKE PLACE AND THERE WILL BE NO POSTPONEMENT, LETTER WAS DATED 5/18/01. K.P. \*\*6/01/01 - SPOKE TO RICK AND THE HEARING STAYS FOR 6/6/01. K.P. \*\*6/5/01 - HEARING ON PRIOR TO SPECIAL HEARING BEFORE ZONING COMMISH. SEE U.S. BANKRUPTCY CT. PAPERS IN FILE (D. THOMPSON) \*\*6/7/01 - FINAL ORDER SENT TO SPEER, MISCOSKI, ON 6/7/01. K.P. \*\*6/12/01 - COPY OF ENFORCEMENT FILE SENT TO ZONING REVIEW FOR INCLUSION IN THE ZONING HEARING CASE NUMBER 01-474-SPH. (SCJ)

F3=Exit F9=Insert

F5=Refresh F10=Entry

F6=Select format F11=Change

RA1001B

DATE: 01/16/2001 STANDARD ASSESSMENT INQUIRY (1) TIME: 11:14:20 PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE 21 00 012794 07 2-3 04-00 Н NO 01/08/01 SPEER DENISE L DESC-1.. IMPS5.2988 AC DESC-2.. HARRIS MILL 920 HARRIS MILL RD PREMISE. 00920 HARRIS MILL RD 00000-0000 PARKTON MD 21120-9265 FORMER OWNER: SPEER DENISE L FCV -PHASED IN PRIOR PROPOSED CURR CURR PRIOR LAND: 49,500 56,580 FCV ASSESS ASSESS IMPV: 191,360 196,970 TOTAL.. 253,550 253,550 99,720 TOTL: 240,860 253,550 PREF... PREF: CURT... 253,550 253,550 99,720 CURT: 240,860 253,550 EXEMPT. DATE: 04/96 04/98 ---- TAXABLE BASIS FM DATE 01/02 ASSESS: 253,550 09/30/00 00/01 ASSESS: 99,720 06/01/00 99/00 ASSESS: 98,030 06/04/99 ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001B

DATE: 02/21/2001 STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:07:30

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC 21 00 012794 07 2 - 3 04-00 H NO

DEL LOAD DATE

01/08/01

SPEER DENISE L

920 HARRIS MILL RD

DESC-1.. IMPS5.2988 AC

DESC-2.. HARRIS MILL

PREMISE. 00920 HARRIS MILL

RD

00000-0000

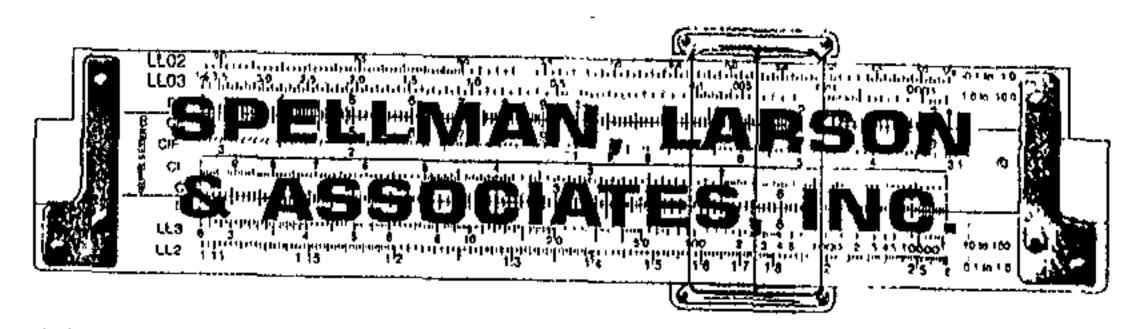
PARKTON MD 21120-9265 FORMER OWNER: SPEER DENISE L ---- FCV ------- PHASED IN -----PRIOR PROPOSED

CURR CURR PRIOR LAND: 49,500 56,580 FCV ASSESS ASSESS IMPV: 191,360 196,970 TOTAL.. 253,550 253,550 99,720 TOTL: 240,860 253,550 PREF... 0 0 PREF: CURT... 253,550 253,550 99,720 CURT: 240,860 253,550 EXEMPT. DATE: 04/96 04/98 ---- TAXABLE BASIS ----FM DATE 01/02 ASSESS: 253,550 09/30/00

00/01 ASSESS: 99,720 06/01/00 99/00 ASSESS: 98,030 06/04/99

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF





POSERT E. SPELLMAN, P.L.S JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

Ms. Kitty Popelarski

Code Enforcement Department of Permits & Development Mgt. **Baltimore County** 

#### "HAND DELIVERED"

Re: Case No. 01-0191 920 Harris Mill Road Job No. 201003

Dear Ms. Popelarski,

I am in receipt of a letter from your office to Ms. Denise Speer, dated May 1, 2001 regarding the scheduling of a Code Enforcement Hearing for her property for June 6, 2001 9:00 a.m. at the Baltimore County Office Building.

**()**-

I am writing this letter on behalf of Ms. Speer respectfully requesting to have that Hearling rescheduled so that it would postdate the Zoning Special Hearing that has been applied for and is currently in the process of being scheduled.

At a recent Code Enforcement Hearing before Mr. Stanley Shapiro, we reviewed this Zoning Hearing issue and felt that the middle of June would be ample time to reschedule the Code Hearing so that our Zoning Hearing would predate.

With the Code Enforcement Hearing already set for June 6th, I have talked to the Zoning Office Scheduling Clerk and he informed me that with the current case load our Zoning Hearing will probably not be heard until late June.

May 8, 2001

Marie de war is in the horse the mis-

I appreciate your cooperation and indulgence in this matter to reschedule the Code Enforcement Hearing in early July.

Thanking you in advance.

Very truly yours,

Joseph L. Larson, President

SPELLMAN, LARSON & ASSOC., INC.

JLL:jll

cc: Denise Speer

File No. L05070102

May 9, 2001

To whom it may concern:

For several years, my company provided lawncare services to Denise Speer at her Harris Mill Road farm. When mowing the grass on that part of her property where the dogs were confined, it was necessary for us to enter the yard with our equipment with the dogs being there. At no time did any of her dogs exhibit any vicious or attacking behavior, and they remained in the yard with us the entire time the lawn was being mowed. These dogs would bark when we first entered her property, but then they would stop when they recognized us. They were friendly and non-aggressive.

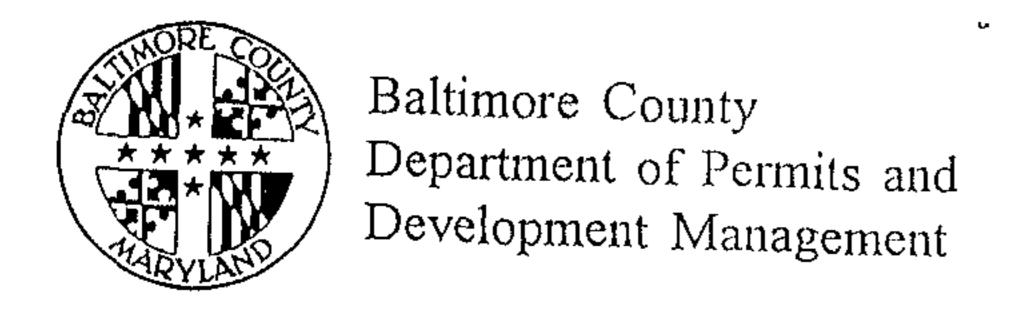
Sincerely,

lames A. Rosier

Rosier Lawn Services

20609 York Road

Parkton, Maryland 21120



Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

May 18, 2001

Joseph L. Larson, President Spellman, Larson & Associates, Inc. Civil Engineers and Land Surveyors 105 W. Chesapeake Avenue Towson, Maryland 21204

Re: Case No. 01-0191, 920 Harris Mill Road

Dear Mr. Larson:

I am in receipt of your letter dated 8 May 2001 requesting a postponement in the above referenced case. When this case came on for hearing on 1 May 2001 a postponement was granted to reset same in five (5) weeks. The postponement was requested to allow for the filing of a Special Hearing. Since the Special Hearing has not yet been scheduled, I am going to have the case go forward for hearing on 6 June 2001.

Please advise Ms. Speer to appear for the hearing.

Sincerely,

Stanley J. Sonapiro,

Code Enforcement Hearing Officer

SJS/kp

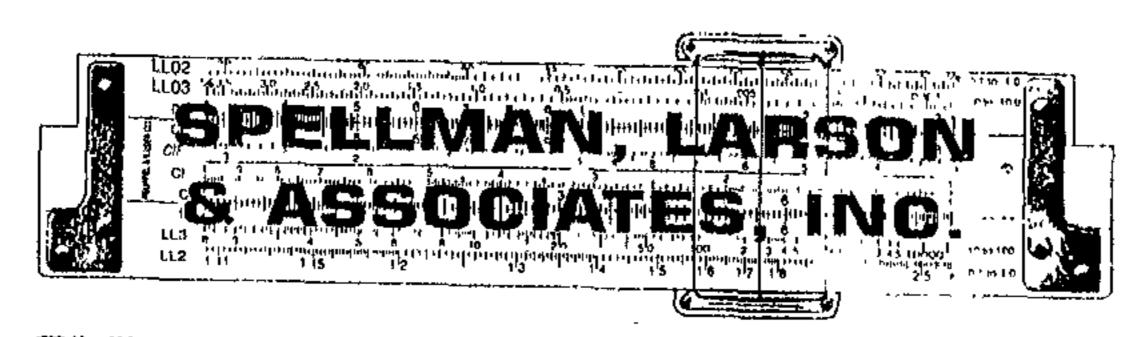
c: Donna Thompson., Code Enforcement Inspector Denise L. Speer, 920 Harris Mill Road

01-0191

Come visit the County's Website at www.co.ba.md.us

Printed with Soybean Ink on Recycled Paper





HOBERT E SPELLMAN P.L.S. JOSEPH L. LARSON

#### CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

Mr. Stanley J. Shapiro, Code Enforcement Hearing Officer Department of Permits and Development Management Baltimore County

May 24, 2001

Re:

Case No. 01-0191 920 Harris Mill Road

Dear Stanley,

I am in receipt of your letter dated May 18, 2001 regarding the June 6th Code Enforcement Hearing for the above-captioned property.

We wish to herein restate our case for a postponement of the June 6<sup>th</sup> Hearing as a result of now having received a date for the Zoning Special Hearing for the subject property for Monday, July 2, 2001 at 9:00 a.m.

Please be advised that after our Code Hearing on May 1, 2001, we diligently pursued submission of the necessary plans and documents and arranged a Filing Conference and filed the Special Hearing Request. Unfortunately, due to the case load and scheduling delays, we were not able to get the Zoning Hearing set in any sooner than the above date of July 2<sup>nd</sup>.

I would think that it is in everyone's best interest to postpone the Code Enforcement Hearing until after the Special Zoning Hearing, since if we prevail at the Zoning Hearing, the Code Violation is moot.

I would appreciate your reviewing this request and responding to me at your earliest convenience.

Very truly yours,

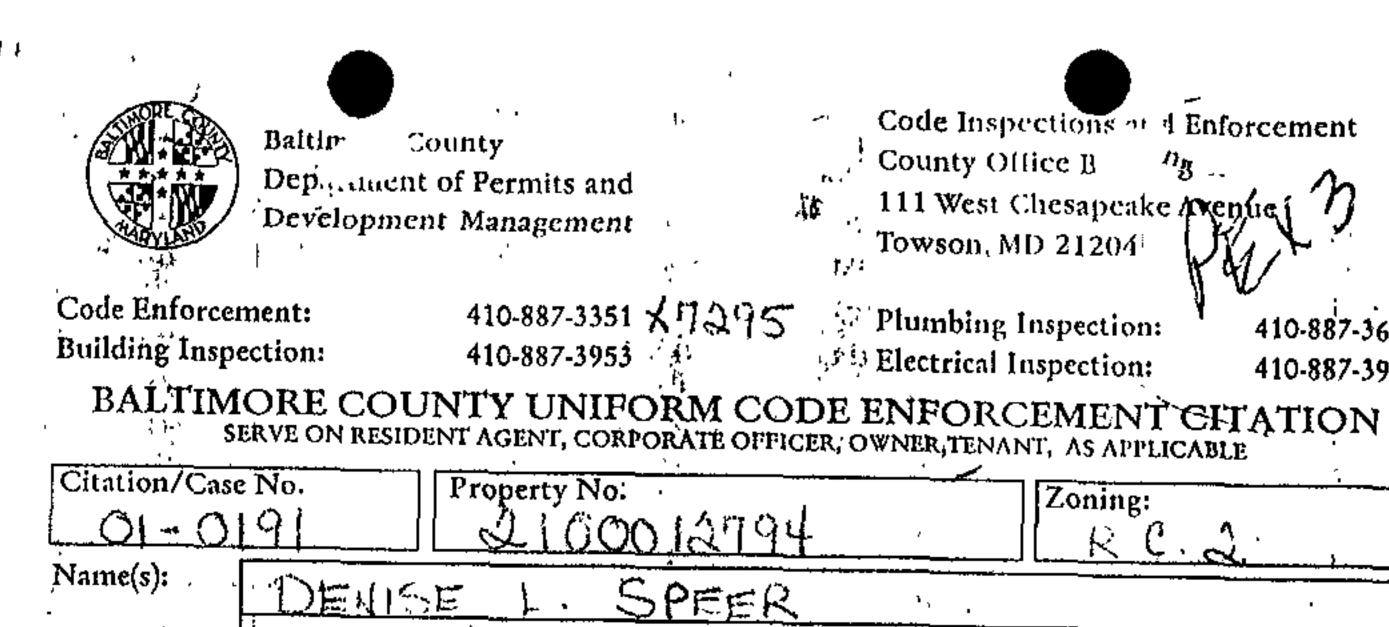
· 1885年8月18日

Jøseph L. Larson, President

SPELLMAN, LARSON & ASSOC., INC.

JLL:jll

cc: Denise Speer



OPERATION OF A

1920 HARRIS MILL RO.

HARRIS MILL

02 20 01

Address: ".

Violation

Location:

• Violation

Print Name:

Date,

Dates:

Code Inspections of 4 Enforcement County Office B 111 West Chesapeake Avenue Towson, MD 21204

. Plumbing Inspection: 410-887-3620 15 53 Electrical Inspection: 410-887-3960 Zoning: 31120-PARKTON 71 BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS: WITHOUT THE DENIEFIT OF A SPE IAL EXCEPTION.

Pursuant to Section 1-8, Baltimore County Code, a civil penalty has been assessed, as a result of the violation cited herein, in 00 the amount indicated: A quasi-judicial hearing has been pre-scheduled in Room 116, Date: 111 West Chesapeake Avenue, Towson, Maryland, for: Timer MA CO: Citation must be served by: Date: 3 30 0 I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

mashin was in masking

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

Inspector's Signature

KENNEL FROM

Telephone (410) 339-7919

8600 LaSalle Road Suite 620, Oxford Building Towson, Maryland 21286-5955

ERT GRAHAM FIORE ATTORNEY AT LAW

Facr. (410).

Piy L

#### VINCENT T. MISCOSKI KXXXX 18614 Preston Rd. New Freedom, PA 17349

717-236X2K222 227-0309

Ms Kitty Popelarski
Baltimore County Department of Permits and Development Management
Codes Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms Popelarski:

My wife and I, both retired and in our eighties, thank you for your letter dated May 1 concerning Case No 01-0191, 920 Harris Mill Road and the hearing scheduled thereon for June 6.

We are deeply concerned that this case was not readily settled after the dedicated work of the Code Enforcement Inspector to ensure compliance with the Code, without the need for a formal hearing. Because my wife and I are deeply affected by the apparent effort being made to evade by the violator, correcting the situation, we have decided to send you a letter inasmuch it is extremely unlikely that we will physically be able to attend the hearing.

Subject property produces no agricultural or forest products, but is more of a menagerie of sorts on a tiny acreage) comprised of three horses, two burros, a zebra. and from seven to ten or more dogs. We consider the dogs to be aggressive and vicious, and in need of better containment and further removal from the property line so that we can out to our mailbox without experiencing the unrestrained effort by the dogs to attack us, as though someone is urging them on. Also, the defecation by the animals is disgraceful to say the least, only 30 feet from the entrance and mail box to my property.

We respectfully recommend strict enforcement of the Code, without exception.

Respect, fully yours,

Tracuce. K. Mui coshi

### May 9, 2001

To whom it may concern:

My property borders the Speer farm. We feel more comfortable knowing that these dogs bark when strangers are in the area. They provide a service not only to her farm, but to us as well. We certainly don't feel "scared" of the dogs, as they appear to be quite friendly.

Sincerely,

Donna Merkel 241 Jonas 18559 Reaton Ro New Freedom, PA 17349

#### VINCENT T. MISCOSKI R.D. 1 Box 1861 New Freedom, PA 17349

717-235-2322

January 16, 1990

Ms. Grace Froelich Animal Rescue, Inc. P.O. Box 35 Maryland Line, Md. 21105

Dear Ms. Froelich:

As I promised in my phone conversation with you the evening of January 11, I am sending you this letter as my every effort to control the animal noises that emanate for every effort to control the animal noises that emanate for community from the Animal Rescue, Inc. premises. These loud and persistent noises, from the barking of dogs, etc., are and especially to people like myself who are up in years or health and sanity.

I consider these noises, which continue for long periods and which may occur at any and all hours of the day or night, as serious interference with my property rights as well as the property rights of the entire community. It is common knowledge of their real and personal property. Under the law, the right to "quiet enjoyment" of property includes protection from undue annoyance, discomfort, and/or injury caused by others.

By not controlling the noises, you have ignored the well-being and the propertyrights of your neighbors. By not exercis-ing proper control over your building and facility modification program and the necessary confinement of your animals, you have one that is truly beyond any possible justification, given the circumstances, and the time the operation has been in business.

As I stated on the phone, I expect you fulfill your moral and legal responsibilities on this matter, and to take prompt and effective action to eliminate your nuisance from our community. I request that you commence action immediately, and that you send me a prompt, written reply stating exactly when you and "Animal Rescue, Inc." will restore the property rights of which you have been deprivingme and others in this area.

(Before closing this letter, I must thank you for your suggestion that I might take this matter up with the Township Board of Supervisors. I plan to follow your suggestion, but first I would like to have your reply in hand. Thank you very much.)

Very/truly yours,

Vincent T. Miscoski

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#### VINCENT T. MISCOSKI R.D. 1 Box 1861 New Freedom, PA 17349

717-235-2322

January 16, 1990

Ms. Grace Froelich Animal Rescue, Inc. P.O. Box 35 Maryland Line, Md. 21105

Dear Ms. Froelich:

As I promised in my phone conversation with you the evening of January 11, I am sending you this letter as my formal request, as one human being to another, that you make every effort to control the animal noises that emanate for community from the Animal Rescue, Inc. premises. These loud and persistent noises, from the barking of dogs, etc., are very disturbing and distressing to other community residents, in need of rest and privacy as a matter of maintaining their health and sanity.

I consider these noises, which continue for long periods and which may occur at any and all hours of the day or night, as serious interference with my property rights as well as the property rights of the entire community. It is common knowledge that owners have a legal right to unrestricted enjoyment and use of their real and personal property. Under the law, the right to "quiet enjoyment" of property includes protection from undue annoyance, discomfort, and/or injury caused by others.

By not controlling the noises, you have ignored the well-being and the propertyrights of your neighbors. By not exercising proper control over your building and facility modification program and the necessary confinement of your animals, you have one that is truly beyond any possible justification, given the circumstances, and the time the operation has been in business.

As I stated on the phone, I expect you fulfill your moral and legal responsibilities on this matter, and to take prompt and effective action to eliminate your nuisance from our community. I request that you commence action immediately, and that you send me a prompt, written reply stating exactly when you and "Animal Rescue, Inc." will restore the property rights of which you have been deprivingme and others in this area. Time is of the essence.

(Before closing this letter, I must thank you for your suggestion that I might take this matter up with the Township Board of Supervisors. I plan to follow your suggestion, but first I would like to have your reply in hand. Thank you very much.)

Very/truly yours,

vincent T. Miscoski

bruary 24,

1983

Sè

York Daily

Record

Daily Record correspondent By PEGGY SPANGLER

heard when people filled the Shrewsbury town-ship municipal building Wednesday Animal Rescue Inc. HAMETOWN testimony the gning on the hearing More than 80 status board ಲ್ಲ

the shelter's future. board postponed a decision

shelter narges that the president of the has expanded her operations controversy stems moli the

> and not expanded. has maintains, against merely zoning however, that the shelter upgraded its regulations. buildings

ed to render a decision at the March 23 meeting, and evidence, the board was expect-Pending a review of the testimony

March of 1979, barn and a two-story framed build-ing were used to shelter animals in mined that only Zoning officer Michael Lee deterportions of the time when b

> tion prompted the appeal. rezoned. His determina-

shelter homeless animals. ing use. He called for the shelter to cutback on the change in Froelich, Lee denied the request of registration president of and a non-conformspace the it uses shelter, Grace

evidence that both graphs house animals. Mrs. and Froelich always newspaper presented been used buildings in quesarticles photoas

> buildings, she said. chickens, rabbits, dogs now housed in all of chickens, rabbits, About 300 ducks, and the shelter's cats are geese,

"I's the same area, just no longer in the rustic stage. It has been modernized, not expanded," Mrs. Froelich said.

ter, backed Mrs. Froelich's claims at Wednesday's meetings. Schnabel, who volunneer at the cen-Maureen Callender and Grace

Southern York several County residents and Магуfrom

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benefits of the shelter, attorney Carey said, "We could go on more and more witnesses." land offered comments attorney Pat about with the

tures shelter. petition limitations, However, with that backed with with more Carey operation respect than submitted 30 Ö signa-of the tıme

Anne a Sparks, received ffered During the hearing, Mrs. ceived a pledge for \$5,0 and Md. the pledge d Rick  $M_{r}$ топеу Bajackson said he 'Bajackson Ö \$5,000 kick Froelich ð j from of.

shelter. fencing project planned ည

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by adjoining present Miscoski. to continue as Opposition to allowing the shelter continue as it now is waa voiced property owner Vin-

ed to depreciation of ues "terrible." He claimed and that the shelter contributthe property noise was va]-

zoning efficer in 1978 and 1979. tion was based on the report by Phil Fahs, who visited the 22-acre site as testified that his determina-

#### BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

DATE:

June 12, 2001

TO:

W. Carl Richards, Jr.

Zoning Review Supervisor

FROM:

Rick Wisnom, Chief

Division of Code Inspections & Enforcement

SUBJECT:

Item No.: 474 (01-474-SPH)

Legal Owner/Petitioner: Denise L. Speer Property Address: 920 Harris Mill Road

Location Description: EC intersection Harris Mill and Preston Roads

**VIOLATION INFORMATION:** 

Case No.: 01-0191

Defendants: Denise L Short

Please be advised that the afor case. When the petition is schedule person regarding the hearing date:

MAILED 7-13

subject of an active violation lease notify the following

NAME Vincent Miscoski

--- road, New Freedom, MD 17349

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Complaint Intake Form/Code Enforcement Officer's report and notes

State Tax Assessment printouts (2)

Photographs including dates taken (EXHIBIT PEX 2)

Correction Notice (EXHIBIT PEX 1)

Citation and Proof of Service

Certified Mail Receipt

Notice of Intention to Defend

Final Order of the Code Official/Hearing Officer

Order from United States Bankruptcy Court (dated 5/9/01)

Petitions (s) from Neighbors

E-Mail from Denise Speer to Fred (dated 2/2/01)

Letter from Joseph Larson, President of Spellman, Larson & Associates, Inc. to Denise Speer (dated 4/30/01)

**VIOLATION INFORMATION:** 

Case No.: 01-0191

Property Address: 920 Harris Mill Road

Defendants: Denise L. Speer

Letter from Kitty Popelarski, Code Enforcement to Denise L. Speer (dated 5/1/01) Letter from Joseph Larson, President of Spellman, Larson & Associates, Inc. to Kitty Popelarski, Code Enforcement (dated 5/8/01)

Letter from James Rosier (dated 5/9/01)

Letter from Stanley Schapiro, Code Enforcement Hearing Officer to Joseph Larson, President of Spellman, Larson & Associates, Inc. (dated 5/18/01) Letter from Joseph Larson, President of Spellman, Larson & Associates, Inc. to Stanley Shapiro, Code Enforcement Hearing Officer (dated 5/24/01)

Exhibits:

PEX 1 – (See Correction Notice dated 1/17/01)

PEX 2 - (SEE Photos dated 3/14/01)

PEX 3 – Baltimore County Uniform Code Enforcement Citation dated 3/15/01(with attachments)

PEX 4 - Letter from Mr. and Mrs. Miscoski to Kitty Popelarski

Resp. #1 - Letter from Donna Merkel and Jeffrey \_\_\_\_ dated 5/9/01

Resp. #2 – Letter from Vincent Miscoski dated 1/16/90

Resp. #3 - Letter from Vincent Miscoski dated 1/16/90 (with attachment)

Resp. #5 – Assessment Notice

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/scj

c: Code Enforcement Officer D. Thompson

	DE ENFOR	CEMENT REPO		· .
DATE: 01/16/01	INTAKE BY: ////	CASE #:	19/ INSPEC:	//
COMPLAINT LOCATION:	920 HARR	15 MILL 13.		
-		ZIP CO	DE: 2/100 DIST	i ;
COMPLAINANT NAME:	WCENT MISCOSK			•
ADDRESS:	RENN RESIDEN		<u> </u>	
PROBLEM:	9. 10065		ZIP CODE:	
· · · · · · · · · · · · · · · · · · ·	7F. F.	18614	PRESTAN RO.	
IS THIS A RENTAL UNIT		NEW)	REEDOM MD	172
IF YES, IS THIS SECTION OWNER/TENANT INFORMATION:	YES NO N 8? YES NO	)		
TAX ACCOUNT #: 2/	,00-012794	ZON	ING:	
INSPECTION:				
KENNEL CA		CO-4100 TER	DRWT 0	7
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Citation)	A = A + A + A + A + A + A + A + A + A +		3/01 - Hearing +	
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5/1/01 - Hearing -	Ope Larson (4na)	Mariatod Boutini	10 NOO + 1.1	· · · · · · · · · · · · · · · · · · ·
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- Kor Special	Hearing. new	+ Mearina 5111	1eks	- :

#### Code Enforcement - Daily Worksheet

Inspector -

Area Case # Location

Zip Apt Date Rec Reinsp Dt

920

HARRIS MILL RD

1/16/2001 21120

2/17/2001

Tax Acct #: 2100012794

Complainant Name:

(Last) MISCOSKI

(First) VINCENT

Addr:

PENN PRES STATE LINE

Zip

Str # Street Name Dir

Type

City

Phone:

ST(Home) 717/227-0309 (Work)

Apt

Problem:

9 DOGS

Notes:

1/17/01 SPOKE WITH MR KEVIN SMITH BOYFRIEND.HE SAID HE HAS A DOG 7 ADULTS 2 PUPPIES ABOUT 6 MONTHS OLD I ISSUED A COOREC TION NOTICE 30 DAYS TO DEASE OPPERATION ON A KENNEL FROM A R ESADENSE OR APPLY FOR A SPECIAL EXCEPTION. I HANDED HIM THE NOTICE AND MAILED AND EXPLAINED THE LAW TO HIM. THEY SAID TH EY WILL GO FOR A SPECIAL HEARING. INFORMED COMPLAINANT. P/U 2 /17/01 TO SEE IF HEARING HAS BEEN FILED (J.TS)

## Update / Message Form

Date: 3 14 00 01 (1:50 Pm)
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A. Jessment Notice

Department of Asse	ssments and Taxation	AFFICAL COPY		ent Notice	
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		\$	]	<b>"\$</b>	OK TIO
	Land Land	Builda	ngs, Other	TOTAL	<u>-</u> ',
	Your phased-in market va	ilue for the next three	taxable years is:		- !
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Phased-In	_				5
Market Value	7. \$	8. 1977	21. 1 i?	<u> </u>	<del>  </del>
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	If this property is your prima cap (Homestead Tax Cred	ry residence, you may h	ave the assessmen	at increase limited by th	
	on current information, if yo year:	u quality, we estimate the	hat you will be taxe	d on the following asse	essments ne
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Assessment					i
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Variant Assess	· · · · · · · · · · · · · · · · · · ·	<del>-</del> -	Baltimore City	Municipa	
Your Appeal	If you feel that the New Man explanation of the app	arket Value is incorrec	t, vou mav file an	anneal Included in t	his postati
Rights				file vour appeal. An	appeal mu
	be filed or postmarked with	nin 45 days from the d	ate of this notice.	your appount the	appear mu
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APPEAL COPY

State of Maryland

WE ENCOURAGE YOU TO READ THE GENERAL INFORMATION FOUND ON PAGE 5 FOR AN EXPLANATION OF ASSESSMENTS, PROPERTY TAXES AND TAX CREDITS. FOR ADDITIONAL INFORMATION REGARDING YOUR NOTICE, PLEASE CONTACT THE ASSESSMENT OFFICE AT THE NUMBER/ ADDRESS INDICATED ABOVE. TO EXPEDITE SERVICE, HAVE YOUR NOTICE AVAILABLE AT THE TIME OF YOUR CONTACT.

### APPEAL PROCEDURE

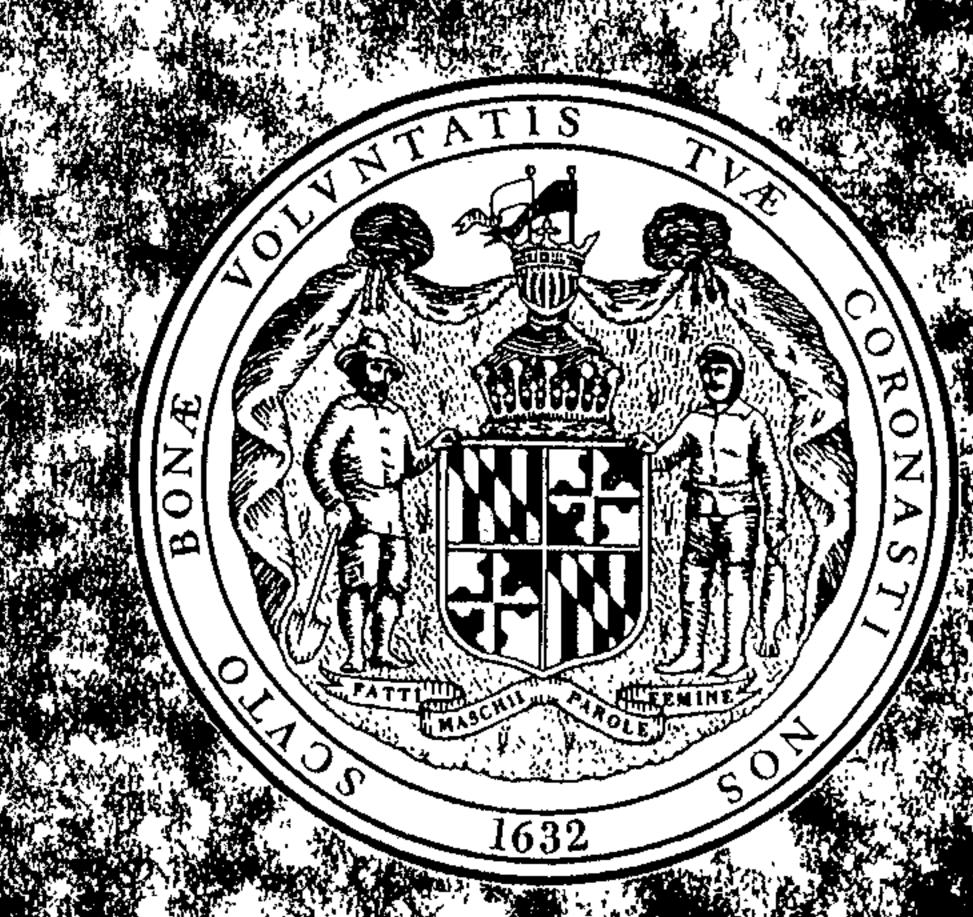
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with the Prop	pperty owner has the right r from an incorrect assess perty Tax Assessment Ap the Department of Assessm	to appeal the notice of assessment. The first level is with the opeal Board and the Maryland nents and Taxation).	nt. A three step appeal process local assessment office. The sec Tax Court (independent agenc	is available to cond and third ies that are	protect the levels are completel
	y owner may at any time tice) brochures, a copy of for the area in which the pr	obtain at no charge from their at the worksheet for the property wo operty is located.	ssessment office (located at the hich is the subject of the assess	address indica ment, and a c	ted on the
If you wis assessment off	th to appeal your notice of ice. AN APPEAL MUST BI	assessment, please complete ar FILED WITHIN 45 DAYS FROM	nd sign the appeal copy of this national THE DATE OF THIS NOTICE.	otice and retu	rn It to the
When filin (3) to have a te	ig an appeal, you have the lephone hearing.	ee options: (1) to submit an appo	eal in writing; (2) to meet person	ally with an as	sessor; o
<b>Options:</b> Pleas written Appeals	se indicate with a check (Option #1). These appeals	mark the ONE option you hav s will receive priority in processing	e selected. NOTE: Expedited s	ervice will be	given
Option #1:	WRITTEN APPEAL IN completing. If additional s	STEAD OF A PERSONAL H space is needed, attach paperwork	EARING. Please detach the to the appeal copy of this notice.	appeal copy	BEFORE
			<del></del>		` - { <sub>E</sub>
	NOTE: When you file a notice is sent.	written appeal, your account is	reviewed based on all available	information ar	id a final
Option #2:	PERSONAL HEARING W	ITH AN ASSESSOR. You will be hearing one time.	notified of the date and time for	your hearing.	You have
Option #3:	TELEPHONE HEARING. not be accepted.	You will be notified of a date a	nd time to call the assessment	office. Collect	calls will
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	Signature	Date	Daytime Telepho	one #	
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### GENERAL INFORMATION ASSESSMENTS, PROPERTY TAXES AND CREDITS

- 1. Current Market Value: The current estimate of market value. Typically, this is prepared every three years by an assessor using uniform standards of mass appraisal.
- 2. New Market Value: An estimate of the market value of the property that reflects changes or corrections by using uniform standards of mass appraisal. This value is based on the analysis of market and cost data prior to the date of this notice. It is not a projection of the market value of the property at a future date.
- 3. Market Value of New Construction: An estimate of the market value of the new construction that has been added to the property using uniform standards of mass appraisal. This value is based on the analysis of market and cost data prior to the date of this notice. It is not a projection of the market value of the property at a future date.
- 4. Phased-in Market Value: The increase in value from the prior value (not shown on the notice) to the new value phased-in equally over the three year period. If this notice is for new construction, these are the phased-in values of the new construction only they will be added to the current phased-in market values. If this notice is for a change in use or character of the property (not new construction), these are the total phased-in values. Note: Reductions in value are applied immediately and are not phased-in.
- Assessment Caps (Homestead Property Tax Credit): For State purposes, the principal residence of a property owner is taxed on no more than a 10% annual assessment increase. For example, if the old assessment was \$100,000 and no tax credits were previously granted, the state assessment cap would be \$110,000 (\$100,000 X 1.10). Counties and municipalities must annually set their own assessment caps of 10% or less. The Homestead Tax Credit is automatically calculated if you qualify you do not have to apply.
- 6. The Constant Yield Tax Rate: The property tax rate that when applied to new assessments would result in counties and municipalities receiving the same revenue in the coming tax year that was received in the prior tax year. If local governments do not plan to reduce the tax rate enough to offset increasing assessments, they must advertise and hold a public hearing on the proposed tax rate.
- 7. The Property Tax Rate: A rate set each year by counties and municipalities to raise enough property tax revenue to fund governmental services. The rate is set as a result of the annual budget process.
- 8. The Property Tax Bill: A bill issued by counties and municipalities that is calculated by applying the municipal (if applicable), county and State tax rates to the assessment. Tax rates are expressed as dollars and cents per \$100 of assessment. Municipal charges and special taxes may also be included on your property tax bill.
- 9. Homeowners' Property Tax Credit Program (Circuit Breaker): A State property tax relief program that allows a property tax credit to households whose total gross income is below a standard set by State law. This program provides property tax credits for homeowners of all ages depending upon their incomes. For more information contact your assessment office or call toll free 1-800-944-7403 (in the Baltimore area call (410) 767-4433).
- 10. Renters' Tax Credit Program: A State property tax relief program that provides property tax credits for renters who meet certain requirements. This program is based upon the relationship between rent and income. For more information contact your assessment office or call toll free 1-800-944-7403 (in the Baltimore area call (410) 767-4433).

BROCHURES ARE AVAILABLE FROM THE ASSESSMENT OFFICE AND ON OUR WEB SITE AT www.dat.state.md.us (UNDER REAL PROPERTY) EXPLAINING TAXPAYERS RIGHTS, THE PROPERTY TAX AND ASSESSMENT PROCESS, THE PROCEDURE FOR APPEALING AN ASSESSMENT, THE HOMESTEAD TAX CREDIT PROGRAM, AND THE HOMEOWNERS' PROPERTY TAX CREDIT PROGRAM.



ACCT#04 OF 2100012794 / 481 SPEER DENISE L 920 HARRIS MILL RE PARKTON MD 2:120-9265 .

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#### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert a. Fine Esq.	8600 La SalleRd #620 Towser Md 212
Demise Speer	920 Harris Mul Rd. Parkton
LOSEPH LARSON	105 W. Chesapeake Are. Zizoz
Kevin D Smith	920 Harris Mill Rd Park
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