IN RE: PETITION FOR SPECIAL EXCEPTION NE/Corner Offutt Road and Peddicoat Court (2620 Offutt Road) 2nd Election District 2nd Council District	* * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
John Creighton, et ux Petitioners	* * *	Case No. 02-129-X

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, John and Brenda Creighton. The Petitioners request a special exception to permit a riding stable and horse boarding facility (Animal Boarding Place, Class B) on the subject property, pursuant to Sections 1A07.3.B.2 and 1A07.3.B.12 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the request were John and Brenda Creighton, property owners, and Bruce E. Doak, Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

The subject property under consideration is an irregularly shaped parcel located on the northeast corner of Offutt Road and Peddicoat Court in the Granite area of western Baltimore County. The property contains a gross area of 28.43 acres, more or less, predominantly zoned R.C.6, with a small portion zoned R.C.5. The property was previously zoned R.C.3. Offutt Road actually divides the parcel into two tracts. That portion of the site on the north side of Offutt Road (approximately 12 acres) is improved with a series of buildings, including a two-story dwelling in which the Petitioners reside, and four barn structures, which are used to support the agricultural uses associated with the subject property. The other portion of the overall tract (approximately 16

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acres) is located on the south side of Offutt Road and is unimproved. A series of photographs were submitted at the hearing which show the subject property, the improvements thereon, and the neighborhood.

The overall tract was created as the result of a subdivision known as Offutt Ridge, which was approved by Baltimore County in 1990. A copy of the subdivision plan was submitted into evidence as Petitioner's Exhibit 1 and the subject property is identified thereon as Lot 75 of that subdivision. Lot 75 is the "Farm Lot" that was retained out of the original overall tract as a large parcel that would continue to be utilized for agricultural purposes. There were 77 residential lots created as a result of that subdivision. Most were between 1 and 2 acres in area; however, there were some larger. In any event, the Petitioners have owned the subject property for approximately 18 months and reside in the single family dwelling located on the north side of Offutt Road. They maintain horses on the property and use the unimproved parcel on the south side of the site to grow hay for their horses.

The Petitioners request special exception relief for a Class B animal boarding place and a riding stable. An animal boarding place is defined in Section 101 of the B.C.Z.R. as "Any building, other structure or land, or any portion thereof, which is used, intended to be used or arranged for the boarding, breeding, or other care of animals for profit, but excluding a farm, kennel, pet shop, veterinarian's office, or veterinarium." A Class B animal boarding place is for animals other than dogs, cats, birds or other household pets. Thus, the Class B classification fits as horses are boarded on this property. A riding stable is defined in Section 101 of the B.C.Z.R. as "A building where riding horses are boarded, or kept for hire."

The Petitioners board and lease horses for two purposes. One such interesting activity apparently occurs three days a week on Mondays, Wednesdays and Fridays. In connection with the office of a physical therapist, the horses are used as part of a program of therapy for children and adults who are mentally or physically handicapped. It was indicated that the horses are utilized to assist in the rehabilitation of those in physical therapy and are also used to promote the mental health of those with mental disabilities. Under the supervision of a licensed physical

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therapist, patients are brought to the site for riding. Apparently, the sessions are closely monitored by up to 4 individuals per patient. The patients ride both in an enclosed area on the site and along a trail within the confines of the property. On three other days of the week (Tuesdays, Thursdays and Saturdays) the facility is open for riding lessons. These include both group and individual lessons and are open to any member of the general public who wants to learn to ride for recreational purposes. The lessons typically last from one-half hour to an hour. Special exception relief is requested to approve these pursuits.

As noted above, there were no Protestants or other interested persons present at the hearing. However, subsequent to the hearing, a negative Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Resource Management (DEPRM). That comment states as follows:

"The Creighton property is Lot 75 of the Offutt Road subdivision. As shown on the record plat (copy attached) there is a "natural resource conservation area" (NRCA) on this property. The NRCA is subject to protective covenants which restrict the use and disturbance on the site. A partial copy of the covenants obtained from Land Records is also attached. The majority of the area where the horse boarding facility is proposed is a non-disturbance area. Therefore, the Department of Environmental Protection and Resource Management recommends denial of this request."

Upon receipt of this comment, the undersigned Zoning Commissioner undertook an investigation of the history of this property through available public records. As noted above, the Petitioner offered at the hearing a site plan for the subject property, which was accepted into evidence and marked as Petitioner's Exhibit 2. The Petitioner also offered a copy of the subdivision plan, identified as Offutt Ridge, Plat 1. Plat 1 contained Lot 75 and a number of the other adjacent and nearby lots which were developed as a result of the subdivision. Apparently, the total subdivision was laid out on three plats. Collectively, these three plats contain 77 lots. A copy of the entire subdivision plan was attached to DEPRM's ZAC comment and is identified as the 2nd Amended Final Development Plan of Offutt Ridge.

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It is to be noted that a large portion of Lot 75 is labeled as a natural resource conservation area (NRCA). This labeling does not appear on the exhibit submitted at the hearing as Petitioner's Exhibit 2; however, is contained on both the plan identified as Offutt Ridge, Plat 1 (Petitioner's Exhibit 1) and the subdivision plan for the entire parcel (2nd Amended Final Development Plan of Offutt Ridge). It appears that this NRCA was created largely as a result of the environmental constraints associated with the property. Specifically, the plans show the existence on the site of a 100-year floodplain, a stream, a drainage and utility easement, etc. Thus, it is clear that a large portion of Lot 75 features environmental constraints.

In planning the subdivision, covenants were created by the Developer which restrict uses and activity on all of the lots created, including Lot 75. These covenants were recorded in the Land Records of Baltimore County at Liber SM 8486, Folio 648. Although originally created by the Developer, the authority to enforce these covenants was ultimately conveyed to the Offutt Ridge Homeowners' Association, Inc. In this regard, it is of note that the Homeowners' Association apparently endorses the Petitioners' proposal, as evidenced by the letter dated November 19, 2001 which was signed by the President and Board of Directors of the Association indicating their support of the Petition.

Nonetheless, DEPRM opposes the grant of the Petition as set forth above. In part, DEPRM relies upon language on the original subdivision plan and set forth within the covenants. Indeed, language on Plat 1 of Offutt Ridge (Petitioner's Exhibit 1), restricts activity within the natural resource conservation area (NRCA). A note contained on the plan states "There shall be no clearing, grading, construction, or disturbance of vegetation in the natural resource conservation area, except as permitted by Baltimore County Department of Environmental Protection and Resource Management." In this case, there is no proposed clearing, grading or construction shown on Petitioner's Exhibit 2, the plan for the proposed animal boarding facility and riding stable. Thus, it does not appear that the Petitioner's proposal violates that prohibition. The language within the note prohibiting "disturbance of vegetation" is somewhat vague, yet there is no indication that the Petitioner's proposed operation would in any way disturb vegetation. As noted

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above, the Petitioners presently grow hay for their horses on that portion of the property located on the south side of Offutt Road.

Further language on Plat 1 of Offutt Ridge states that "Protective covenants shall be recorded in the Land Records of Baltimore County for any natural resource conservation area." As noted above, those covenants have in fact been recorded among the Land Records. The covenants are likewise unclear, and somewhat inconsistent. In Article 1, Section 1 of the Declaration of Covenants, there appears to be a prohibition of no more than 4 domestic animals on any one lot. However, this prohibition is apparently only as to the residential lots in the community in that within Article 7, Section 15 thereof, additional restrictions are set out specific to the farm property, (Lot 75). Therein, the covenants permit up to 10 horses on the farm lot. An examination of the restrictions set out in Section 15, Article 7 of the covenants is particularly relevant.

As previously noted, one such restriction limits the number of horses on Lot 75 to no more than 10. Moreover, it is indicated that no horses shall be allowed to graze on the natural resource conservation area. It is further stated that existing barns shall be maintained and that horse manure shall be properly disposed of and controlled. Additionally, all fields on the farm property not located within the natural resource conservation area shall be mowed. There are other similar and specific requirements. These requirements are specific in nature. Therefore, what is not contained within the restrictions is as significant as what is clearly stated. That is, the drafters of the covenants took great care to enter specific restrictions relative to the farm lot (i.e., the number of horses allowed on the property, no grazing in the NRCA, etc.). However, they did not include any language prohibiting a riding stable, or animal boarding operation on the property. Moreover, and as importantly, there is no restriction contained within the covenants which specifically prohibits the riding of horses anywhere on the property. Thus, although the animals cannot graze within the NRCA, there is no prohibition on riding them therein. Moreover, such riding does not appear to fall within the prohibition of "disturbance of vegetation" which is contained on the plat. Thus, in conclusion, I find no direct prohibition either in the covenants or contained within the language on the plats which would prohibit the proposed operation.

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This conclusion is consistent with the zoning history of the site. At the time of the subdivision of the overall property in approximately 1990, the Developers also petitioned for zoning relief under Case No. 90-309-SPHA. At that time, a Petition for Special Hearing was filed to approve the subject property as a continuing reduced acreage farm. That is, although much of the overall tract then in existence was being subdivided for the residential community of Offutt Ridge, it was recognized that Lot 75 (28-plus acres) would continue to be used for agricultural and farming purposes and the Petitioners sought relief for that approval. Within the opinion rendered by then Deputy Zoning Commissioner Anne M. Nastarowicz granting the relief, it was indicated that testimony was received from Paul Solomon who was then a representative of DEPRM's Agricultural Land Preservation Board for Baltimore County. The testimony from Mr. Solomon at that time was that the farm lot was a legitimate farm use on the subject property and should be retained. Thus, it is clear that DEPRM's position in 1990 was that Lot 75 was an appropriate site for agricultural purposes. Moreover, none of the restrictions attached to Deputy Commissioner Nastarowicz' grant of relief prohibits a riding stable or animal boarding facility on the subject site.

Based upon the testimony and evidence offered, I am persuaded to grant the relief requested. This appears to be an appropriate use for the subject property and is consistent with the rural nature of the locale. In fact, the use is consistent with what apparently was envisioned for Lot 75; that is, the retention of agricultural pursuits on this property. Notwithstanding the grant of this relief, the property will continue to be subject to the covenants and restrictions contained on the previous site plans and the Declaration of Covenants. Specifically, there can be no more than 10 horses boarded on the property, and no horses shall be permitted to graze on the NRCA.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of November, 2001 that the Petition for Special Exception to permit a riding stable and horse boarding facility (Animal Boarding Place, Class B) on the subject property, pursuant to Sections 1A07.3.B.2 and 1A07.3.B.12 of the Baltimore County Zoning Regulations (B.C.Z.R.), in

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By

accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein is limited to a Class B Animal Boarding Place with a boarding capacity for no more than ten (10) horses.

3) Compliance with the specific restrictions set forth in the Declaration of Covenants as to the maintenance of existing barn structures and the control and proper disposal of horse manure. Additionally, all fields on the farm property not located within the natural resource conservation area shall be mowed.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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Date 11/29/01
By

Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 29, 2001

Mr. & Mrs. John Creighton
2620 Offutt Road
Granite, Maryland 21163

RE: PETITION FOR SPECIAL EXCEPTION
NE/Corner Offutt Road and Peddicoat Court
(2620 Offutt Road)
2nd Election District – 2nd Council District
John Creighton, et ux - Petitioners
Case No. 02-129-X

Dear Mr. & Mrs. Creighton:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, 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 the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Blvd., Suite 100, Towson, Md. 21286
DEPRM; People's Counsel; Case File

Printed with Soybean Ink
on Recycled Paper

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2620 Offutt Road (Formally R.C.2)

which is presently zoned R.C. 6 & R.C. 5

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A Riding Stable and Horse Boarding (ANIMAL BOARDING PLACE, CLASS B) PURSUANT TO SECTIONS 1A02.2.B.2. AND 1A02.2.B.24 (PREVIOUS ZONING REGULATIONS, BILL # 178-1979.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, 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 and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

John Creighton
Name - Type or Print

John Creighton
Signature

Brenda Creighton
Name - Type or Print

Brenda K Creighton
Signature

2620 Offutt Road 410 354-7175
Address Telephone No.

Baltimore MD 21163
City State Zip Code

Representative to be Contacted:

Brian Dietz
Gerhold, Cross & Etzel, Ltd.
Name

320 E. Towsontown Blvd. #100 410 823-4470
Address Telephone No.

Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By RDD **Date** 9/25/01

ORDER RECEIVED FOR FILING
Date 11/29/01
By RBU 09/15/98

Case No. 02-129-X

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

August 31, 2001

ZONING DESCRIPTION
CREIGHTON PROPERTY
2620 OFFUTT ROAD

All that piece or parcel of land, situate, lying and being in the Second Election District Court of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the north side of Offutt Road, 60 feet wide, at the intersection of the north side of Offutt Road with the east side of Peddicoat Court, 50 feet wide. Being lot 75, in the subdivision of Offutt Ridge, as recorded in Baltimore County Plat Book 61, folio 126.

Containing 28.942 Acres of land, more or less, and lying on the north and south side of Offutt Road, 60 feet wide.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the proposes of conveyance.

STATE OF MARYLAND
BRIAN RONALD DIETZ
No. 21080
PROFESSIONAL LAND SURVEYOR

2nd Elec Dist
2nd Council Dist

X:\creighton\offuttzoningdesc.doc

Item #129

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 5672

DATE 9/25/01 ACCOUNT 001 006 6150

AMOUNT $ 300.—

RECEIVED FROM: J. Craig Jr.

FOR: Zoning Case 02-129 X

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
9/26/2001	9/25/2001	15:16:23

REF W305 CASHIER R005 LRB PAYMNT 3
RECEIPT # 210119 OFLR
Dept 5 528 ZONING VERIFICATION
CR NO. 005672

Recpt Tot 300.00
300.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #02-129-X
2620 Offutt Road
N/S and S/S Offutt Road at Peddicoat Court
2nd Election District
2nd Councilmanic District
Legal Owner(s): Brenda & John Creighton
SPECIAL EXCEPTION: to allow a riding stable and horse boarding (animal boarding place, class B)
Hearing: Monday, November 26, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped 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.
11/105 Nov. 8 C504675

CERTIFICATE OF PUBLICATION

11/9/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/8/, 2001.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-129-X
PETITIONER/DEVELOPER:
Brend and John Creighton

DATE OF HEARING:
November 26, 2001

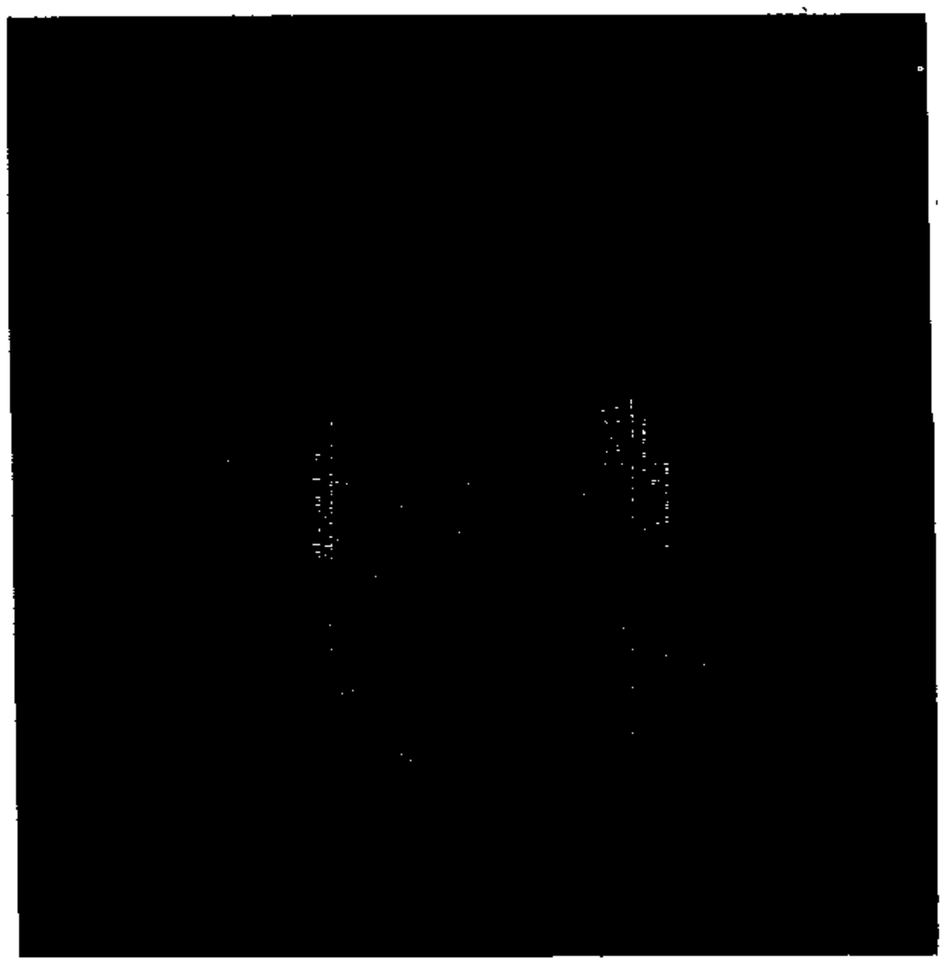
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:
North and South sides of Offutt Road at Peddicoat Court



POSTED ON : November 08, 2001

DATE: November 8, 2001

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 8, 2001 – Jeffersonian

Please forward billing to:
John Creighton 410-354-7175
2620 Offutt Road
Woodstock Maryland 21163

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: 02-129-X
2620 Offutt Road
N/S and S/S Offutt Road at Peddicoat Court
2nd Election District – 2nd Councilmanic District
Legal Owner Brenda & John Creighton

SPECIAL EXCEPTION to allow a riding stable and horse boarding (animal boarding place, class B)

HEARING: Monday, November 26, 2001 at 9:00 a.m. in room 407 County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
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.

October 29, 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: 02-129-X
2620 Offutt Road
N/S and S/S Offutt Road at Peddicoat Court
2nd Election District – 2nd Councilmanic District
Legal Owner Brenda & John Creighton

SPECIAL EXCEPTION to allow a riding stable and horse boarding (animal boarding place, class B)

HEARING: Monday, November 26, 2001 at 9:00 a.m. in room 407 County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Brian Dietz Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown Blvd. #100 Towson 21286
Brenda & John Creighton 2620 Offutt Road Woodstock MD 21163

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Saturday, November 10, 2001**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 02-129-X

Petitioner: John Creighton

Address or Location: 2620 Offutt Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN CREIGHTON

Address: 2620 OFFUTT ROAD

WOODSTOCK MD 21163

Telephone Number: 410-354-7175

Revised 2/20/98 - SCJ

County Board of Appeals of Baltimore County

LOCR

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 **MARCH 18, 2002**

TUESDAY **3/19** **10:00 am** **Case No.: 99-239-A** **/HEARING**

In the Matter of:
Albert J. Bierman – Legal Owner
7947 Pulaski Highway
SE/cor Pulaski Highway and Chesaco Avenue
15th Election; 5th Councilmanic

VAR – Front property line setback of 0' ilo required 15' for existing storage bins

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WEDNESDAY **3/20** **10:00 am** **Case No.: 01-129-A** **/HEARING**

In the Matter of:
William A. McDaniel, Jr. – Legal Owner
5025 Black Rock Road
S/s Black Rock Road, 4500' W of Grace Rd.
5th Election; 3rd Councilmanic

VAR – To permit 2 existing business ID signs 63 sf and 7 sf ilo permitted 1 sign of 1 sf (actually 69 sf and 12 sf as amended at ZC hearing.

THURSDAY **3/21** **9:30 am** **Case No.: CR-02-070** **/DELIBERATION**

In the Matter of:
Jones Property/Maud D. & Lee Jones – Legal Owners
John F. Owings, Jr. – Contract Purchaser
24 Old Tollgate Road
4th Election; 3rd Councilmanic

10:00 am **Case No.: CR-02-154-A** **/HEARING**

In the Matter of:
Betty Kreeuzburg – Legal Owner - Petitioner
8919 Reisterstown Road
NE/s Reisterstown Rd 540' NW of c/l Mt. Wilson Lane
3rd Election; 2nd Councilmanic

RECLASSIFICATION: From D.R. 3.5 to O-3
VAR – to permit 10' side and rear setbacks from any lot line ilo req'd 20' or equal to height of building, whichever is greater

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c: Executive Office, Law Office, Director /PDM, People's Counsel, Planning Office, Court Info. Desk, County Council, Board Members, Court Reporter

Printed with Soybean Ink on Recycled Paper

WCR

County Board of Appeals of Baltimore County

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 7, 2001

NOTICE OF ASSIGNMENT

CASE #: 01-129-A

IN THE MATTER OF: ***William A. McDaniel Jr.*** **-Legal Owner**
5025 Black Rock Road
5th Election District; 5rd Councilmanic District

12/04/2000 – ZC's Order in which Petition for Variance was GRANTED.

ASSIGNED FOR: **THURSDAY, DECEMBER 20, 2001 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 : Francis X. Borgerding, Jr., Esquire
Petitioner : William A. McDaniel, Jr.

Brian Dietz /Gerhold, Cross & Etzel
Mike Kinkel

Pt Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Hunter Rowe, CIE /PDM #00-3818
Arnold Jablon, Director /PDM

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on Recycled Paper

County Board of Appeals of Baltimore County

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

November 15, 2001

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 01-129-A

IN THE MATTER OF: ***William A. McDaniel Jr.*** **-Legal Owner**
5025 Black Rock Road
5th Election District; 5rd Councilmanic District

12/04/2000 – ZC's Order in which Petition for Variance was GRANTED.

which was assigned to be heard on 12/20/01 has been **POSTPONED** at the request of Counsel for Petitioner due to schedule conflict, without objection by Appellant, People's Counsel; and has been

REASSIGNED FOR: **WEDNESDAY, MARCH 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 : Francis X. Borgerding, Jr., Esquire
Petitioner : *William A. McDaniel, Jr.*

Brian Dietz /Gerhold, Cross & Etzel
Mike Kinkel

Pt Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Hunter Rowe, CIE /PDM #00-3818
Arnold Jablon, Director /PDM

RECEIVED
NOV 16 2001
DEVELOPMENT MANAGEMENT

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 21, 2001

Brenda & John Creighton
2620 Offutt Road
Baltimore MD 21163

Dear Mr. & Mrs. Creighton:

RE: Case Number: 02-129-X, 2620 Offutt Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 25, 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.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Brian Dietz, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286
People's Counsel

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 26, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 5, 2001
Item Nos. 121, 123, 124, 125, 126, 127,
128, [illegible] 130, 131, 133, 134, 135, 162,
and 163

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley 235

DATE: November 29, 2001

SUBJECT: Zoning Item 129
Address 129 Creighton Property

Zoning Advisory Committee Meeting of October 29, 2001

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The Recommendation for zoning approval is subject to not permitting any variances for signage.

Reviewer: Bruce Seeley Date: 11/30/01

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.29.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 129 R00

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 30, 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: Brenda & John Creighton - 129
Carol Grap - 131
Maria & Seyed Shirazi - 132
Mehm T. Thaung, Myanmar Buddhist Meditation Society - 162

Location: DISTRIBUTION MEETING OF October 29, 2001

Item No.: 129, 131, 132, and 162

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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

cc: File

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on Recycled Paper

RE: PETITION FOR SPECIAL EXCEPTION 2620 Offutt Road, N/S and S/S Offutt Rd at Peddicoat Court 2nd Election District, 2nd Councilmanic Legal Owner: John & Brenda Creighton Petitioner(s)	* * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY Case No. 02-129-X

* * * * * * * * * * * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 30th day of November, 2001 a copy of the foregoing Entry of Appearance was mailed to Brian Dietz, Gerhold, Cross & Etzel, 320 E. Towsontowne Blvd., Suite 100, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS

DATE: November 27, 2001

27

SUBJECT: Zoning Item # 02-129X
Property Creighton Property
Address 2620 Offutt Road

Zoning Advisory Committee Meeting of October 29, 2001

The Creighton Property is Lot # 75 of the Offutt Ridge subdivision. As shown on the Record Plat (copy attached), there is a "Natural Resource Conservation Area" (NRCA) on this property. The NRCA is subject to protective covenants which restrict the use and disturbance on the site. A partial copy of the covenants obtained from Land Records is also attached. The majority of the area where the horse boarding facility is proposed is a non-disturbance area. Therefore, the Department of Environmental Protection and Resource Management recommends DENIAL of this request.

Reviewer: John Russo Date: November 27, 2001

Attachments

See 90-309-SPHA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
John Creighton	2620 Offutt Rd
Brenda Creighton	2620 Offutt Rd
BRUCE DOAK GERWOLD CROSS & GRAEL	320 E. TOWSONTOWN BLVD TOWSON 21286

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

FROM: ZONING OFFICE

CRG DATE: 6/8/89
PRE-CRG DATE: 5/26/89

PROJECT NAME: Offutt Ridge
(formerly Randall's Ridge)

LOCATION: N & S/S Offutt Road,
E of Granite Road

PLAN: 5/5/89

REV.: 5/31/89 REV.:

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

DISTRICT: 2c2

1. Density -- Clarify on the plan that the 15 acre portion of the property south of Offutt Road was part of the overall record lot on 12/22/75 (the effective date of Section 1A02.3.B.2). If it was, the density may cluster or accrue from this 15 acres zoned R.C.-3 to the adjacent R.C.-3 zoned portions of the lot north of Offutt Road. If there were other lot divisions of the R.C.-3 zoned area on 12/22/75, the density must be calculated by lot. Also, the 15 acre portion of Lot #75 must be calculated as a density lot whether or not a dwelling is proposed on the south side of Offutt Road. Correct the density calculations, eliminate one proposed R.C.-3 lot and number or note 1 zoning density lot on the 15 acres. Also clarify, in the density calculations, that the transcon pipeline is owned in fee by the owner/developer and that the acreage was included in the density calculations.

See #6

2. Lot #75 north of Offutt Road -- Dimension, include the front orientation, height and setbacks to any newly created property lines of all buildings to remain on the 12 acre lot. A setback variance would be required for the distance between the existing dwelling to remain and the street widening line (see Section 1A02.3.B.4 and Zoning Policy S-10.C). Also, if all buildings (other than dwelling) to remain cannot meet S.400 (B.C.Z.R.), then they must either be removed, brought into compliance via a zoning variance, or the 12 acre lot justified as a continuing reduced acreage farm prior to final zoning approval. The intentions of the owner/developer should be clear on the C.R.G. plan (see Zoning Policy A-17).

BA

PETITIONER'S EXHIBIT 4

3. On all lots that have split zoning classifications, include separate zoning acreages on the plan print. The required minimum one acre must be provided in the zone that the dwelling, septic and well are located in. Note conspicuously on the plan "THE ___ ZONED PORTIONS OF LOTS #__, __, __, __, __, __ AND THE ___ ZONED PORTIONS OF LOTS # __, __, __, __, __, __ MAY NOT BE BUILT UPON OR USED TO SUPPORT ANY OTHER DWELLINGS".

BA Adjust building envelopes accordingly + check ac. of all lots

4. Correct the zone line slightly to conform to the 1"=200' scale 1988 zoning map #NW 6 & 7K, 6J and adjust the density calculations accordingly. Provide anticipated dwelling front directional arrows on Lots #19, 21, 26, 27, 31, 32, 47, 49, 65 and 73, INCLUDING A MARGIN OF ADJUSTMENT. Clarify the division line between Lot #64 and #66 and provide a building envelope on Lots #64 and #75. Add "in the R.C.-5 zone" to Note #10 and provide 2 separate typical lots, including the required 150 foot dimetral dimension in R.C.-3. Correct the vicinity map to accurately show the property outline, including the roads and enlarge the scale to at least 1"=1,000'.

BA

BA

5. Final zoning approval would be contingent upon the resolution of all comments and the outcome of the required public zoning hearing.

ADDITIONAL FOR THE 5/31/89 PLAN

6. NOTE ON THE 15 AC. PORTION OF LOT #75 ON THE CRG PLAN, FINAL DEVELOPMENT PLAN, AND RECORD PLAT:

SPECIAL ZONING NOTE:

LOT #75 AS PROPOSED INCLUDING 25 ACRES TOTAL ENCOMPASSING BOTH SIDES OF OFFUTT ROAD IS APPROVED BY THE ZONING COMMISSIONER IN THE R.C.-3 ZONE AS ONLY ONE BUILDABLE DWELLING LOT UNAFFECTED BY OFFUTT ROAD. THIS APPROVAL IS BASED UPON THE PROVISIONS OF SECTION 1A02.3.B.1* + 2 (R.C.-3 DENSITY - B.C.Z.R.) AND CONDITIONED UPON THE RECORDING IN THE LAND RECORDS OF BALTIMORE COUNTY ONE, SINGULAR 25 AC. METES AND BOUNDS PROPERTY DESCRIPTION TO BE REPEATED AND TRANSFERRED INTACT, SAVING AND EXCEPTING ONLY COUNTY REQUIRED IMPROVEMENTS, THROUGH SUCCESSIVE TRANSFERS OF THE PROPERTY.

*It should be noted that cluster development in the R.C.-3 zones (Deferral of Planning and Development) is expressly intended to set aside unimproved land for future development whereas so called clustering in other R.C. zones and D.R. zones is permitted for the express purpose of providing and/or retaining open land on a permanent basis for farming open space or otherwise.

W. Carl Richards

W. CARL RICHARDS, JR.
Zoning Coordinator

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 19, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Lavinia E. Craven, et al, Item 168
Zoning Petition No. 90-309-SPHA

DEC 2 7 1989

The Petitioners request a Variance to front yard setback requirements and a Special Hearing to approve a 29 acre +/-lot as a reduced acreage farm. In reference to this request, staff offers the following comments:

The subject site, located on both the north and south sides of Offutt Road, is part of a larger tract which is being subdivided. The tract, known as "Offutt Ridge," received CRG approval on 1989.

This office has no objection to the use of proposed Lot 75 as a reduced acreage farm as long as it is used in accordance with the note required by the zoning office and shown on the hearing plan.

The existing dwelling and farm buildings are listed as the Dr. Thomas Z. Offutt House on the Maryland Historical Trust Inventory. This office supports the requested variance which would allow the existing dwelling to comply with current regulations.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

AMENDED **PETITION FOR SPECIAL HEARING**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-309-SPHA

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 Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

the 28 acre lot as a continuing reduced acreage farm as shown on the attached plat lot 75 on proposed Offut Ridge Subdivision

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Stephen J. Nolan

(Type or Print Name)

Signature

Suite 700, Court Towers, 210 W. Penna. Avenue

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 301-823-7853

Legal Owner(s):

Offut Ridge Limited Partnership
A Maryland Limited Partnership

(Type or Print Name)

By: Lowrie Sargent

Signature

(Type or Print Name)

Signature

2620 Offut Road

Address Phone No.

Baltimore, Maryland 21163

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Stephen J. Nolan

Name

210 W. Penna. Ave.
Towson, MD 21204 301-823-7853

Address Phone No.

MAP
R.O.
DATE
200
1000
DP

ORDER RECEIVED FOR FILING
Date 2/2/90
By

ORDERED By The Zoning Commissioner of Baltimore County, this 29 day of Nov, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5 day of Feb, 1990, at 10:30 o'clock A.M.

J. Robert Haines

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

Z.C.O.—No. 1

(over)

AMENDED **PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-309-SPHA

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

Variance from Section Variances are as follows: Building A: 1) To permit a front yard setback of 29' instead of the required 50' (BCZR 1A02.3 B.4.) and

2) To permit a projection into the front yard (porch) greater than the minimum required 25% (BCZR 301.1)

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

1. The grant of the requested variances will permit the exisiting dwelling to remain and permit the continuation of the barn and farm buildings.

2. Hardship and practical difficulty would result if these older, existing structures could not be saved and brought within the spirit of the Regulations.

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Offut Ridge Limited Partnership
A Maryland Limited Partnership
(Type or Print Name)

By: Lowrie Sargent
Signature

(Type or Print Name)

Signature

Attorney for Petitioner:

Stephen J. Nolan
(Type or Print Name)

Signature

Suite 700, Court Towers, 210 W. Penna. Avenue
Address

Towson, MD 21204
City and State

Attorney's Telephone No.: 301-823-7853

2620 Offut Road
Address Phone No.

Baltimore, Maryland 21163
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Stephen J. Nolan
Name

210 W. Penna. Ave. 301-823-7853
Towson, MD 21204
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29 day of NOV, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5 day of Feb, 1990, at 10:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 3/29/89
By

(over)

A-17

RURAL ACCESSORY USES

Reference S. 400, 101, 404.2

BALTIMORE COUNTY, MARYLAND

TO BE SUPPLIED BY THE APPLICANT

INTER-OFFICE CORRESPONDENCE

TO Paul Solomon
Agricultural Preservation Coordinator
Department of Environmental Protection
and Resource Management

Date July 21, 1989

FROM Mr. J. Robert Haines, Zoning Commissioner
111 W. Chesapeake Ave. Towson, Maryland

SUBJECT REDUCED ACREAGE FARM

Contract Purchaser:
Randalls Ridge Partnership
2200 Stockton Rd.
Phoenix, MD 21131

Election District 2

Owner: Lavina E. Craven, Et al

Addess: 2620 Offutt Road
Woodstock, MD 21163

Phone # 771-8174

Tax Account Number 0 2 2 3 7 5 0 1 0 0

Pursuant to the Zoning Commissioner's policy A-17, this office is officially requesting verification of the legitimacy of a farm use To continue on the reduced acreage on the referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required before the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

the proposed lot + overall subdivision plan
the deed to the property
the state tax map for that area,

map	block	parcel
76	16	45

We appreciate your verification and/or recommendations concerning this property.

****

LEGITIMACY OF A FARM USE ON THE REDUCED ACREAGE

☑ Yes ☐ No ☐ Comment

PETITIONER'S EXHIBIT

Signed: Paul J. Solomon
Representative of the Agricultural
Land Preservation Board for
Baltimore County

Date: 10/20/89

THE OFFUTT RIDGE HOMEOWNERS' ASSOCIATION, INC.

SECOND AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS SECOND AMENDED DECLARATION, made this 19th day of November, 1990, by OFFUTT RIDGE LIMITED PARTNERSHIP, a Maryland Limited Partnership (hereinafter referred to as the "Declarant"), and THE RYLAND GROUP, INC., a Maryland Corporation (hereinafter referred to as the "Vendor").

W I T N E S S E T H:

WHEREAS, the Declarant is the owner of the real property described in Article II of the Declaration of Covenants, Conditions and Restrictions dated the 22nd day of May, 1990 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8486, folio 648, and First Amended Declaration of Covenants, Conditions and Restrictions dated October 15, 1990 (the "Declaration"), and desires to create and develop thereon a residential community with permanent recreational areas for the benefit of said community; and

WHEREAS, Vendor joins in this Second Amended Declaration of Covenants, Conditions and Restrictions for the sole purpose of being bound by the terms contained herein; and

WHEREAS, pursuant to Article XIII, Section 1 of said Declaration, the Declarant may amend any of the terms or provisions of the Declaration; and

WHEREAS, the Declarant desires to amend the Declaration as set forth below.

NOW, THEREFORE, the Declarant hereby amends the Declaration of Covenants, Conditions and Restrictions, dated and recorded as mentioned above, as follows:

1. Article VII, Section 6(e), is hereby amended by adding the following language:

> Notwithstanding the foregoing, one (1) horse shall be permitted to be kept on any Lot containing two and one-half (2-1/2) acres or more; and for those Lots containing three and one-half (3-1/2) acres or more, two (2) horses shall be permitted to be maintained. All horse manure shall be properly disposed of and proper controls shall be established and followed. The maintenance of any horse shall not be permitted to cause any type of nuisance or other disturbance to the Association. All fencing constructed for the maintenance of said horse(s) shall match the fencing surrounding the Farm Property and shall be a paddock fence. Further, any structures established or maintained for the maintenance or keeping of a horse must be of similar quality and character as the dwelling which it serves. In no event shall any fencing and structure maintained for the keeping or boarding of horses be established without the Owner of said Lot to which it pertains complying with the applicable provisions of Article VII of the Declaration.

In all other respects, the Declaration of Covenants, Conditions and Restrictions and First Amended Declaration of Covenants, Conditions and Restrictions remains unchanged.

IN WITNESS WHEREOF, the Declarant and Vendor, have caused these presents to be executed in their respective names, on the day and year first above written.

FILING 10.00
0 #
SM CLERK 10.00
409323 C002 R02 T08:35
11/30/90

10

ATTEST:

DECLARANT:
OFFUTT RIDGE LIMITED PARTNERSHIP

By: _____ (SEAL)
Lowrie B. Sargent, General Partner

ATTEST:

VENDOR:
THE RYLAND GROUP, INC.

By: _____ (SEAL)
John M. Flaherty, Vice President

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

I HEREBY CERTIFY that on this 31st day of Oct., 1990, before me, the undersigned, a Notary Public in and for the State of Maryland, personally appeared LOWRIE B. SARGENT, who acknowledged himself to be the General Partner of OFFUTT RIDGE LIMITED PARTNERSHIP, a Maryland Limited Partnership, the within named Declarant, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Second Amended Declaration of Covenants, Conditions and Restrictions, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission expires:
March 1, 1994

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 31st day of Oct., 1990, before me, the undersigned, a Notary Public in and for the State of Maryland, personally appeared JOHN M. FLAHERTY, who acknowledged himself to be a Vice-President of THE RYLAND GROUP, INC., the within named Vendor, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Second Amended Declaration of Covenants, Conditions and Restrictions, and acknowledged that he executed the same for the purposes therein contained as the duly authorized officer of said Vendor.

WITNESS my hand and Notarial Seal.

_____
Notary Public

My Commission expires:
March 1, 1994

0160j:10/19/90

S.M. 8486/648

A RC F 50.00
0 #
SM CLERK 50.00
#53131 C003 R01 T14:10
05/29/90

THE OFFUTT RIDGE HOMEOWNERS' ASSOCIATION, INC.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made this 22nd day of May, 1990, by OFFUTT RIDGE LIMITED PARTNERSHIP, a Maryland Limited Partnership (hereinafter referred to as the "Declarant"), PAUL J. McGINTY, JR. and DAVID R. NAKA, Trustees (hereinafter referred to as the "Trustees"), BELL MORTGAGE COMPANY (hereinafter referred to as the "Lender") and THE RYLAND GROUP, INC., a Maryland Corporation (hereinafter referred to as "Ryland").

W I T N E S S E T H:

WHEREAS, the Declarant is the owner of certain real property situate in Baltimore County, Maryland, which is more particularly described in Exhibit A attached hereto and made a part hereof ("Property"); and

WHEREAS, the Trustees are the Trustees of an Indemnity Deed of Trust (the "Deed of Trust") on the Property from the Declarant dated September 28, 1989, and recorded among the Land Records of Baltimore County in Liber S.M No. 8285, folio 799. The Lender is the holder of a Deed of Trust Note securing said Deed of Trust. The Trustees and Lender are joining in this Declaration for the sole purposes set forth in Article XIII, Section 11 hereof; and

WHEREAS, Declarant and Ryland have executed a Contract of Sale for the Property described herein; and

WHEREAS, the Declarant hereby declares that the Property shall be held, sold and conveyed subject to the covenants, conditions and restrictions set forth below; and

WHEREAS, the Declarant desires to subject the Property and the improvements located or to be located thereon, to the covenants, conditions and restrictions set forth herein which are for the purpose of protecting the value and desirability of the Property and the improvements thereon and are for the purpose of distributing among the owners of the improvements the cost of maintaining and operating the Recreational Areas (as hereinafter defined), and any improvements constructed thereon; and

WHEREAS, the Declarant has caused or will cause a non-profit membership corporation known or to be known as The Offutt Ridge Homeowners Association, Inc. (the "Association") to be formed in order to perform certain functions on behalf of the owners of the lots within the Property, including, but not limited to, the enforcement of the covenants, conditions and restrictions herein set forth, and for management of the Recreational Areas, and collection and disbursement of the assessments and charges hereinafter created.

NOW, THEREFORE, Declarant hereby declares that the Property shall be held, sold and conveyed subject to the following easements, covenants, conditions and restrictions, which are for the purpose of protecting the value and desirability, and enhancing the attractiveness of the Property, and which shall run with the Property and shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner of the Property or any part thereof and their respective heirs, personal representatives, successors and assigns, and the Association.

ARTICLE I

Section 1. Definitions. The following terms, when used in this Declaration, shall have the following meanings:

or permitted to remain on any part of the Property other than detached single-family dwellings, and recreational facilities.

(b) Real estate sales, management and/or construction offices may, with the written consent and approval of the Declarant, be erected, maintained and operated on any part of the Property and/or in any building or structure now or hereafter erected thereon, provided such offices are used or operated on a temporary basis in connection with the development of the Property or the construction of improvements thereon, or the management, rental or sale of any part thereof or any improvements which may be now or hereafter erected thereon, but no part of the Property or any part of any improvements set forth in this paragraph shall be so maintained without the prior written consent and approval of the Declarant being first had and obtained.

(c) Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the aforesaid recorded Plats and over the front and rear ten (10) feet of each Lot of the Property.

(d) No noxious or offensive trade or activity shall be carried on upon any Lot or within any Dwelling, nor shall anything be done therein or thereon, which may be or become an annoyance or nuisance to the neighborhood or other Members. Without limiting the generality of the foregoing, no speaker, horn, whistle, siren, bell, amplifier or other sound device, except such device as may be used exclusively for security purposes, shall be located, installed, or maintained upon the exterior of any Dwelling or upon the exterior of any other improvements constructed upon any Lot.

(e) The maintenance, keeping, boarding or raising of animals, livestock, or poultry of any kind, regardless of number, shall be and is hereby prohibited on any Lot or within any Dwelling, except that this shall not prohibit the keeping of four (4) dogs, or four (4) cats or four (4) caged birds or any combination thereof, as domestic pets provided they are not kept, bred or maintained for commercial purposes and, provided further, that such domestic pets are not a source of annoyance or nuisance to the neighborhood or other Members. Pets shall be attended at all times and shall be registered, licensed and innoculated as may from time to time be required by law. Pets shall not be permitted upon the Recreational Areas unless accompanied by a responsible person and unless they are carried or leashed. The Board of Directors shall have the right to adopt such additional rules and regulations regarding pets as it may from time to time consider necessary or appropriate.

(f) No burning of any trash and no accumulation or storage of litter, lumber, scrap metal, refuse, bulk materials, waste, new or used building materials, or trash of any other kind shall be permitted on any Lot.

(g) No junk vehicle, unlicensed or inoperable motor vehicle, trailer, camper, recreational vehicle, van (except a van having a passenger car license), camp truck, house trailer, boat or other similar machinery or equipment of any kind or character (except for such equipment and machinery as may be reasonable, customary or usual in connection with the use and maintenance of any Dwelling and except for such equipment and machinery as the Association may require in connection with the maintenance and operation of the Recreational Areas) shall be kept upon the Property nor (except for bona fide emergencies) shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon.

(h) Trash and garbage shall not be permitted to remain in public view, except on designated trash pick-up days.

(i) No Lot shall be divided or subdivided and no portion of any Lot (other than the entire Lot) shall be transferred or conveyed for any purpose. The provisions of this subsection shall not apply to the

Declarant and, further, the provisions hereof shall not be construed to prohibit the granting of any easement or right-of-way to any municipality, political subdivision, public utility or other public body or authority, or to the Association, the Declarant or any other person for any purpose.

(j) No structure of a temporary character, storage shed, above-ground swimming pool, recreational structures, or other structures shall be erected, used or maintained on any Lot at any time, unless Architectural Review Committee written consent is acquired.

(k) Except for entrance signs, directional signs, signs for traffic control or safety, community "theme areas" or "For Sale" signs, no signs or advertising devices of any character shall be erected, posted or displayed upon, in or about any Lot or Dwelling. The provisions and limitations of this subsection shall not apply to any institutional first mortgagee of any Lot who comes into possession of the Lot by reason of any remedies provided by law or in such mortgage or as a result of any proceeding, arrangement, assignment or deed in lieu of foreclosure.

(l) No structure, planting or other material shall be placed or permitted to remain upon any Lot which may damage or interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct or retard direction or flow of any drainage channels.

(m) No outside television aerial or radio antenna, satellite dish, or other aerial or antenna for receipt or transmission, shall be maintained upon the Property; provided, however, that roof-mounted antenna extending less than five (5) feet in any one dimension shall be permitted.

(n) No Member shall make any private or exclusive or proprietary use of any of the Recreational Areas except with the specific approval of the Architectural Review Committe and the Association, and then only on a temporary basis, and no Member shall engage or direct any employee of the Association on any private business of the Member during the hours such employee is employed by the Association, nor shall any Member direct, supervise, or in any manner attempt to assert control over any employee of the Association.

(o) No Dwelling shall contain less than eighteen hundred (1,800) square feet of area, exclusive of garage and basement, if any.

(p) Well pipes shall not extend more than eighteen (18) inches above ground. Only submersible pumps shall be permitted.

(q) Streams and waterways shall not be used for any purpose.

(r) All Recreational Areas are to be used solely by Owners and guest of Owners, if accompanied.

(s) No solar energy cells or wind-powered devices shall be erected or maintained.

(t) All Dwellings must have at least a one-car garage attached.

(u) All driveways are to be asphalt or concrete.

(v) All mailboxes shall be in accordance with the design as described on Exhibit C, attached hereto.

Section 7. Exterior Modifications. All exterior changes, including lighting and paint color, to all Dwellings shall be prohibited without first

LOT 75 OFFUTT RIDGE

Section 14. Environmental Restrictions. The Declarant has entered into an agreement with the Baltimore County Department of Environmental Protection and Resource Management to adhere to the following water quality best management practices and, by the acceptance of a deed conveying any Lot, the Owner thereof covenants to adhere to the following:

(a) All Recreational Areas except those areas used for building, sidewalks and paving, will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.

(b) Dirt and debris accumulating on private roads will be removed according to the following schedule: May through October, concurrent with grass mowing; November through April, monthly.

(c) Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.

(d) Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative Extenuation Services.

(e) Filling will not occur in grassed or lined drainage or swales.

(f) No clearing, grading or disturbance of vegatation shall occur in the Natural Resource Conservation Area as shown on the Plats.

(g) Proposed grading will be limited to the Dwelling and driveway locations and such areas immediately adjacent as required to provide drainage. Such grading shall not exceed 8,000 square feet.

Section 15. Farm Property Restrictions. The Farm Property shall be maintained by its Owner in accordance with the following restrictions:

(a) No more than ten (10) horses may be kept on the Property at any time.

(b) No horse(s) shall be allowed to graze on the natural resource conservation area.

(c) All existing barns shall be properly maintained and no waste shall be permitted.

(d) All fields on the Farm Property not located within the Natural Resource Area shall be mowed.

(e) All horse manure shall be properly disposed of, and proper controls shall be established and followed.

(f) No outside storage of vehicles or other farm equipment.

(f) No sign to be erected or maintained.

Section 16. Farm Property Effect. All Owners acknowledge that the Property is in close proximity to active agricultural operations, that agriculture has a preferred use status, and further, that odors, noise, dust, farm equipment, livestock and the use of agricultural chemicals (such as pesticides, fertilizer, herbicides, and other control agents) are in active use.

ARTICLE VIII

Section 1. Management Agent. The Board of Directors may employ for the Association a management agent or firm or manager (the "Management

Offutt Ridge Homeowner's Association
P. O. Box 512
Randallstown, Maryland 21133

November 19, 2001

Subject: Letter of Support

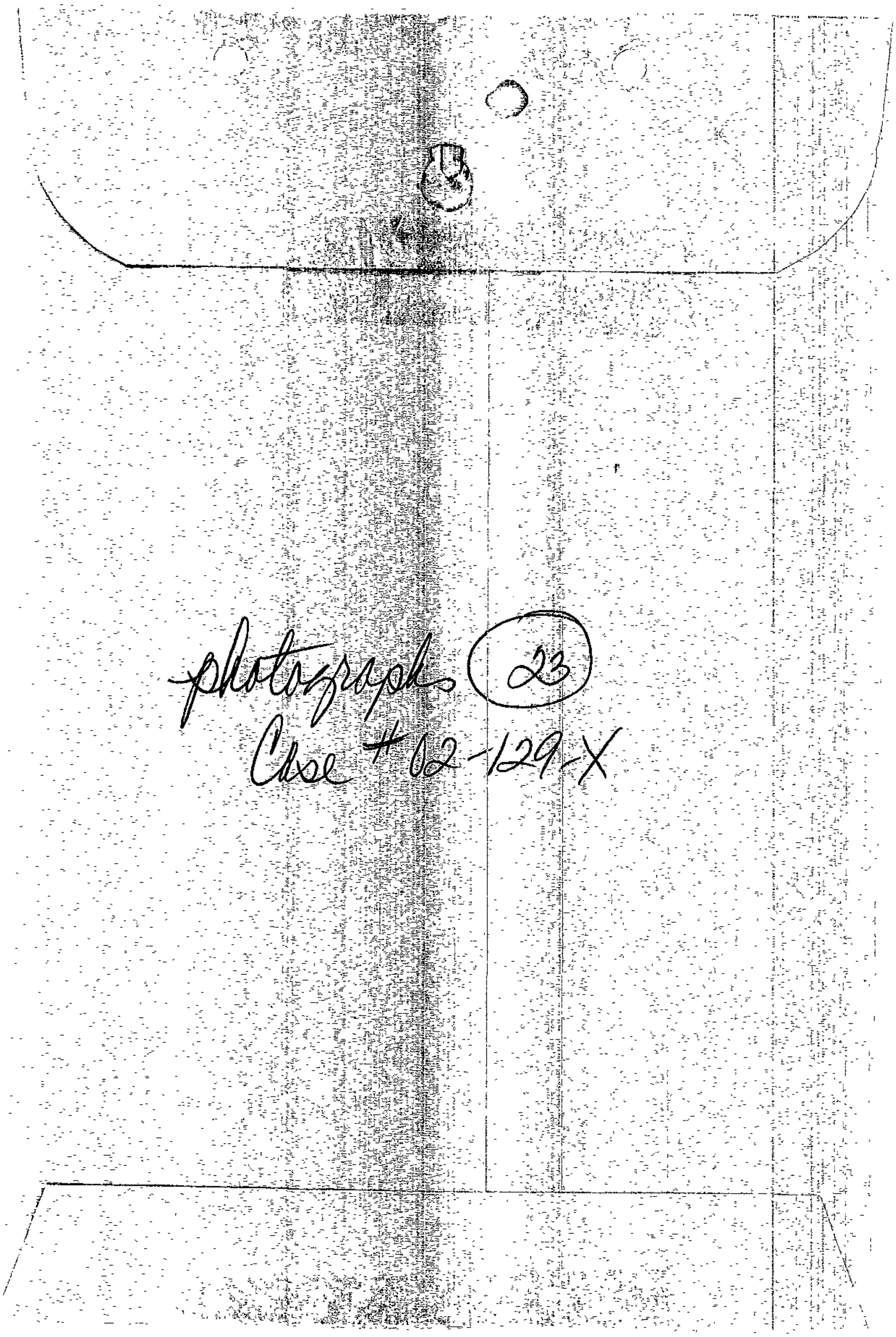
To Whom It May Concern:

The Offutt Ridge Homeowner's Association, of which Offutt Ridge Farm is a member, is aware of the zoning special exception that the farm has applied for. The Homeowner's Association is in full support of the horse operations, including riding lessons, boarding, and hippotherapy sessions that have been proposed.

Richard K. Jackson
A/President

Sidney White
Board of Directors

Def No 4



photographs (23)
Case # 02-129-X

H

ZONING NOTICE

CASE #:02-129-X

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: Room 407, County Courts Building
401 Bosley Avenue, Towson, MD

TIME: 9:00 am Monday, November 26, 2001

DATE:

Special Exception to allow a rid
[illegible] stable and non-[illegible] boarding
[illegible] boarding [illegible], class B);

COORDINATE TABLE

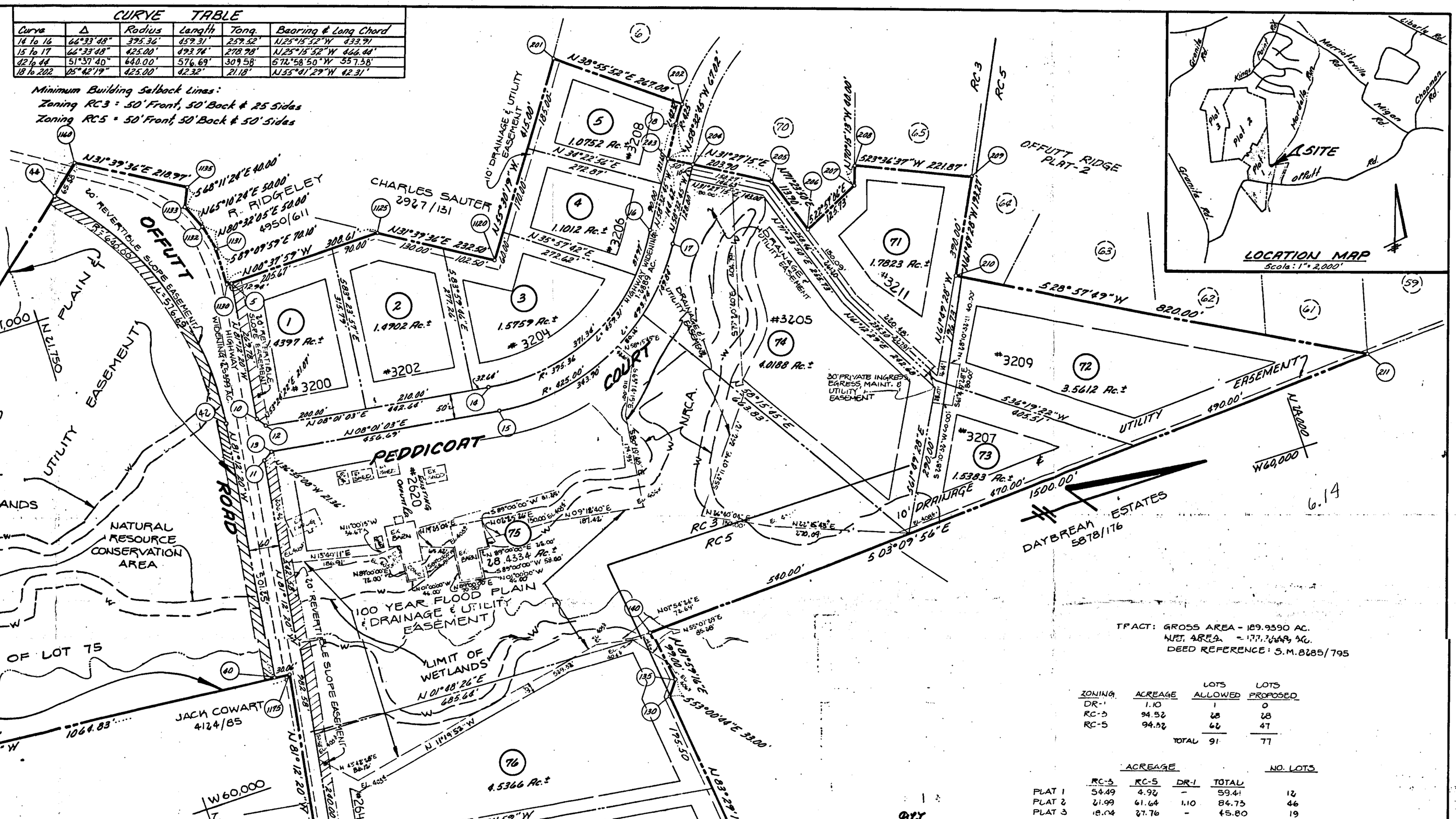
No.	North	West	No.	North	West
5	22,129.92	60,949.36	1131	22,117.99	61,019.31
10	22,088.67	60,682.75	1132	22,109.78	61,068.63
11	22,076.84	60,603.69	1133	22,088.78	61,114.01
12	22,101.23	60,665.83	1135	22,103.64	61,151.15
13	22,093.59	60,616.42	1160	21,917.26	61,266.08
14	22,539.55	60,604.10	1165	20,848.82	60,403.78
15	22,545.81	60,552.72	1170	20,922.37	60,291.86
16	22,931.96	60,789.29	1175	21,982.67	60,193.80
17	22,967.64	60,751.80	1180	21,896.58	59,637.30
18	23,042.81	60,969.85	201	22,858.51	61,172.64
40	21,952.14	60,196.57	202	23,066.27	61,004.81
41	21,932.31	59,832.66	203	23,007.66	60,912.67
42	22,029.37	60,691.73	204	23,020.09	60,886.58
44	21,866.25	61,234.89	205	23,181.38	60,806.27
			206	23,217.71	60,698.32
115	22,058.39	59,611.96	207	23,333.69	60,747.35
120	22,741.96	59,314.91	208	23,347.00	60,785.00
130	22,672.72	59,921.47	209	23,550.30	60,696.14
135	22,492.58	59,947.83	210	23,457.04	60,525.97
140	22,278.78	60,045.86	211	24,176.48	60,128.68
1120	22,623.48	60,830.61			
1125	22,625.57	60,952.63			
1130	22,116.98	60,949.22			

CURVE TABLE

Curve	Δ	Radius	Length	Tang.	Bearing & Long Chord
14 to 16	66°33'48"	395.36'	459.31'	259.52'	N25°15'52"W 433.91'
15 to 17	66°33'48"	425.00'	493.74'	278.98'	N25°15'52"W 466.44'
62 to 64	51°37'40"	640.00'	576.69'	309.58'	N71°58'50"W 557.58'
18 to 202	05°42'19"	425.00'	42.32'	21.18'	N55°41'29"W 42.31'

Minimum Building Setback Lines:
Zoning RC3 = 50' Front, 50' Back & 25 Sides
Zoning RC5 = 50' Front, 50' Back & 50' Sides

LOT 75 AS PROPOSED INCLUDING 28.4334 ACRES TOTAL ENCOMPASSING BOTH SIDES OF OFFUTT ROAD IS APPROVED BY THE ZONING COMMISSIONER IN THE RC-3 ZONE AS ONLY ONE BUILDABLE DWELLING LOT UNAFFECTED BY OFFUTT ROAD. THIS APPROVAL IS BASED UPON THE PROVISIONS OF SECTION 1A02.3.B.1 + 2 (RC-3 DENSITY - B.C.Z.R.) AND CONDITIONED UPON THE RECORDING IN THE LAND RECORDS OF BALTIMORE COUNTY ONE, SINGULAR 28.4334 AC. METES & BOUNDS PROPERTY DESCRIPTION TO BE REPEATED AND TRANSFERRED INTACT, SAVING AND EXCEPTING ONLY COUNTY REQUIRED IMPROVEMENTS THROUGH SUCCESSIVE TRANSFERS OF THE PROPERTY.



TRACT: GROSS AREA - 189.9590 AC.
NET. AREA - 177.7669 AC.
DEED REFERENCE: S.M. 8285/795

ZONING	ACREAGE	LOTS ALLOWED	LOTS PROPOSED
DR-1	1.10	1	0
RC-3	94.52	28	28
RC-5	94.52	66	47
TOTAL		91	77

	ACREAGE RC-3	RC-5	DR-1	TOTAL	NO. LOTS
PLAT 1	54.49	4.92	-	59.41	12
PLAT 2	21.99	61.64	1.10	84.73	46
PLAT 3	18.04	27.76	-	45.80	19

THE PLAN FOR THE PROPERTY WAS APPROVED ON JUNE 8, 1989
TAX ACCOUNT NOS. 0223750100
0223750101

OWNER:
OFFUTT RIDGE LIMITED PARTNERSHIP
13243 WESTMEATH LANE
CLARKSVILLE, MD. 21029

OFFUTT RIDGE PLAT 1

2ND. Elect. Dist. - Baltimore County Md.
Scale: 1" = 100' Date: December 11, 1989

CERTIFICATION FOR ROAD ALIGNMENTS, GRADES & STORM DRAIN EASEMENTS

The Recording of this Plat does not Constitute or Imply Acceptance, by the County of any Street, Park, Easements, Open Space or other Public Areas shown on this Plat.

The Recording of this Plat does not Guarantee Installation of Streets or Utilities by Baltimore County.

The Information shown on this Plat may be Superseded by a Subsequent or Amended Plat.

Additional Information Concerning this Plat may be obtained from the Office of Planning & Zoning, and the Department of Public Works.

THIS PLAT IS SUBJECT TO SECT. 26-68 OF THE COUNTY CODE RELATING TO THE LAPSE AND REVOCATION OF A RECORD PLAT.

Streets and/or Roads shown hereon and mention thereof in Deeds are for purposes of description only and the same are not intended to be Dedicated to Public Use. The Fee-Simple Title to the Beds thereof is Expressly Reserved in the Grantors of the Deed to which this Plat is Attached, Their Heirs and Assigns.

EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTO. CTY. OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY, INCLUDING THE MINIMUM SETBACK OF 60 FEET TO BE HELD FROM THE STREET RIGHT-OF-WAY LINE TO THE GARAGE OR CARPORT ENTERED DIRECTLY FROM THE STREET.

For Panhandle Lots, Refuse Collection, Snow Removal, and Road Maintenance are provided to the junction of the Panhandle and the Street Right of Way line only, and not onto the Panhandle Lot Driveway.

Bearings & Coordinates shown on this Plat are Referred to Baltimore County Metropolitan District Grid. Trav. Sta.:
 # 12548 (N1,20,959.27, W61,641.35) & #12549 (N1,21,739.40, W61,371.27)

HIGHWAY AND HIGHWAY WIDENING, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVE AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.

NOTES:

THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES CONTAINED IN THE WATER QUALITY MANAGEMENT POLICY.

FLOOD PLAIN ELEVATIONS SHOWN INCLUDE ONE FOOT FREEBOARD.

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE NATURAL RESOURCE CONSERVATION AREA EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

PROTECTIVE COVENANTS SHALL BE RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY FOR ANY NATURAL RESOURCE CONSERVATION AREA. ANY SUCH PROTECTIVE COVENANT SHALL RUN WITH THE LAND AND CONTINUE IN PERPETUITY.

APPROVED FOR DEPARTMENT OF PUBLIC WORKS.

Director — Date

APPROVED FOR DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Director — Date 8-14-90

APPROVED FOR OFFICE OF PLANNING AND ZONING

Director of Planning & Zoning — Date

OWNER'S CERTIFICATE:

The Undersigned, Owner of the Land shown on this Plat hereby Certifies that to the best of his knowledge the Requirements of Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, has been Complied with, insofar as same Concerns the Making of the Plat and Setting of the Markers.

Owner(s) — Date

SURVEYOR'S CERTIFICATE:

The Undersigned, A Registered Property Line Surveyor of the State of Maryland, does hereby Certify that he is the Surveyor who Prepared this Plat and that the Land shown on this Plat has been Laid out and the Plat thereof has been Prepared in Compliance with Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same Concerns the Making of the Plat and the setting of the Markers.

Property Line Surveyor — Date

AZIMUTH CONSULTANTS
Suite 105
120 Cockeysville Rd.
Hunt Valley, Md. 21031
(301) 785-2300

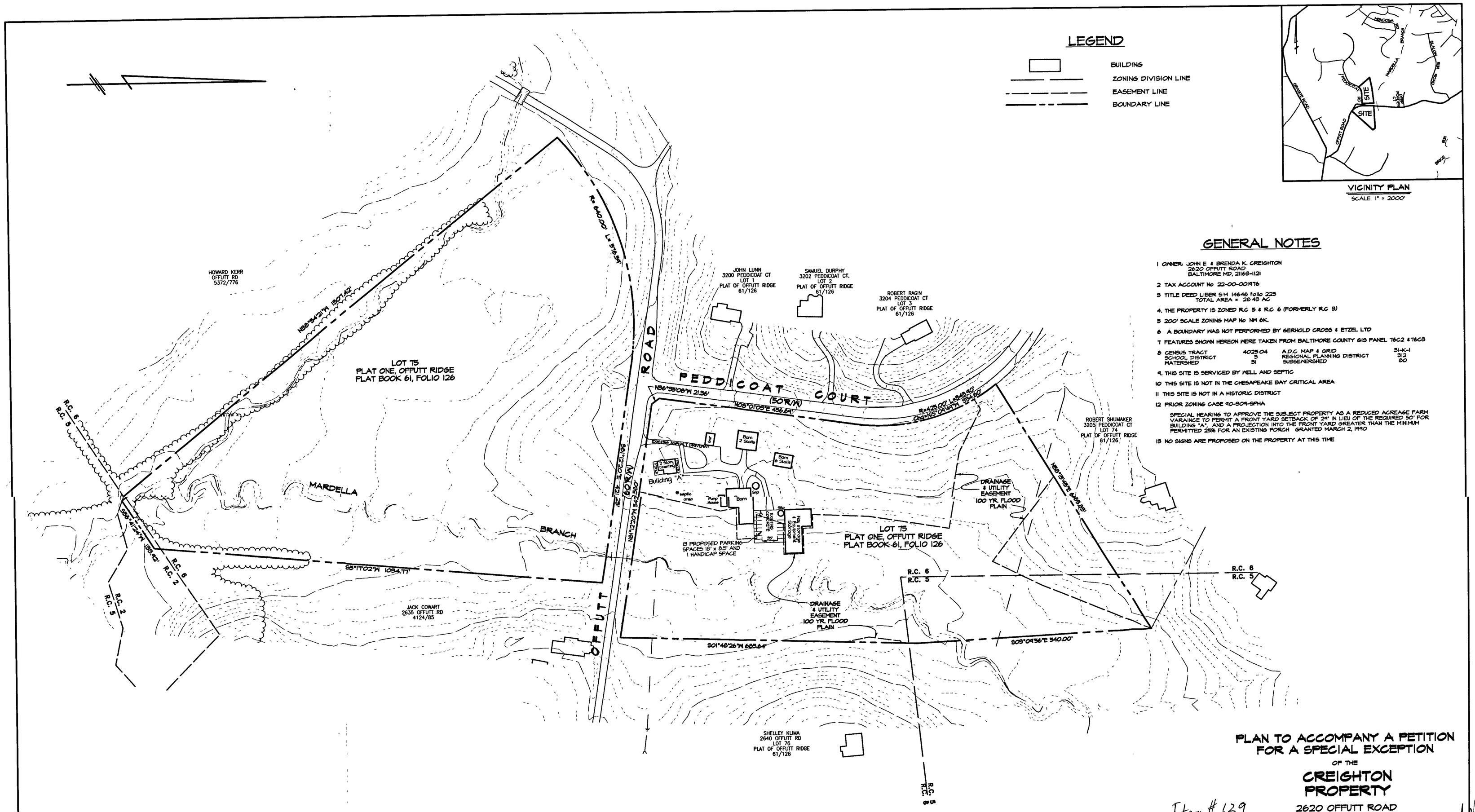
Pet No 2

P57543

MSA SSU 1236-9843

SOILS TYPES AND LIMITATIONS

SOIL	DESCRIPTION	STREETS AND PARKING LOTS	HOMESITES W/O BASEMENTS	HOMESITES W/ BASEMENTS
AnC2	ARNOTTS VILL LOAM 8-15% SLOPES MODERATELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
AnD2	ARNOTTS VILL LOAM 15-25% SLOPES MODERATELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
CaB2	CHESTER SILT LOAM 3-8% SLOPES MODERATELY ERODED	MODERATE: SLOPE	SLIGHT	SLIGHT
CaC2	CHESTER SILT LOAM 8-15% SLOPES MODERATELY ERODED	MODERATE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
Ch	CODORUS SILT LOAM	SEVERE: FLOOD HAZARD	SEVERE: FLOOD HAZARD	SEVERE: FLOOD HAZARD
ChB.	GLENVILE LOAM 3-8% SLOPES MODERATELY ERODED	MODERATE: SLOPE	SLIGHT	SLIGHT
GaC2	GLENVILE LOAM 8-15% SLOPES MODERATELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
GaC3	GLENVILE LOAM 8-15% SLOPES SEVERELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
GaD2	GLENVILE LOAM 15-25% SLOPES MODERATELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
GaD3	GLENVILE CHANNERY LOAM 3-25% SLOPES MODERATELY ERODED	MODERATE: SLOPE	SLIGHT	SLIGHT
GaE2	GLENVILE - CHANNERY LOAM 15-35% SLOPES MODERATELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
GaE3	GLENVILE - CHANNERY LOAM 15-35% SLOPES SEVERELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
GcB	GLENVILE CHANNERY SILT LOAM 3-8% SLOPES MODERATELY ERODED	MODERATE: SLOPE	SLIGHT	SLIGHT
GcC2	GLENVILE CHANNERY SILT LOAM 8-15% SLOPES MODERATELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
GcD2	GLENVILE CHANNERY SILT LOAM 15-25% SLOPES MODERATELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
GcE2	GLENVILE - CHANNERY SILT LOAM 25-35% SLOPES MODERATELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
GcE3	GLENVILE - CHANNERY SILT LOAM 25-35% SLOPES SEVERELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
GrB	GRAYBILL LOAM 0-5% SLOPES RARELY FLOODED	SEVERE: FLOOD HAZARD	MODERATE: HIGH WATER TABLE	SEVERE: HIGH WATER TABLE
Hc	HATBORO SILT LOAM	SEVERE: FLOOD HAZARD, FREQUENT FLOODING	SEVERE: HIGH WATER TABLE, FREQUENT FLOODING	SEVERE: HIGH WATER TABLE, FREQUENT FLOODING
HaC2	HAINES LOAM 8-15% SLOPES MODERATELY ERODED	MODERATE: SLOPE	SLIGHT	SLIGHT
HaC3	HAINES LOAM 8-15% SLOPES SEVERELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
HaD2	HAINES LOAM 15-25% SLOPES MODERATELY ERODED	SEVERE: SLOPE	MODERATE: SLOPE	MODERATE: SLOPE
HaD3	HAINES LOAM 15-25% SLOPES SEVERELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
HaE2	HAINES LOAM 25-35% SLOPES MODERATELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
HaE3	HAINES LOAM 25-35% SLOPES SEVERELY ERODED	SEVERE: SLOPE	SEVERE: SLOPE	SEVERE: SLOPE
HcB	HOLLINSBURG SILT LOAM 3-8% SLOPES MODERATELY ERODED	SEVERE: FLOOD HAZARD	MODERATE: SLOPE	MODERATE: SLOPE



GENERAL NOTES

1 OWNER: JOHN E & BRENDA K. CREIGHTON
2620 OFFUTT ROAD
BALTIMORE MD, 21163-1121

2 TAX ACCOUNT No 22-00-001976

3 TITLE DEED LIBER S.M. 14646 folio 225
TOTAL AREA = 20.43 AC

4. THE PROPERTY IS ZONED R.C. 5 & R.C. 6 (FORMERLY R.C. 3)

5 200' SCALE ZONING MAP No NW 6K.

6 A BOUNDARY WAS NOT PERFORMED BY GERHOLD CROSS & ETZEL LTD

7 FEATURES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS PANEL 76C2 & 76C3

8

CENSUS TRACT	4023.04	A.D.C. MAP & GRID	31-K-1
SCHOOL DISTRICT	5	REGIONAL PLANNING DISTRICT	312
WATERSHED	51	SUBSEWERSHED	80

9. THIS SITE IS SERVICED BY WELL AND SEPTIC

10 THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA

11 THIS SITE IS NOT IN A HISTORIC DISTRICT

12 PRIOR ZONING CASE 90-304-SPHA

SPECIAL HEARING TO APPROVE THE SUBJECT PROPERTY AS A REDUCED ACREAGE FARM VARAINCE TO PERMIT A FRONT YARD SETBACK OF 29' IN LIEU OF THE REQUIRED 50' FOR BUILDING "A" AND A PROJECTION INTO THE FRONT YARD GREATER THAN THE MINIMUM PERMITTED 25% FOR AN EXISTING PORCH GRANTED MARCH 2, 1990

13 NO SIGNS ARE PROPOSED ON THE PROPERTY AT THIS TIME

PARKING CALCULATIONS

NO MORE THAN 10 HORSES BOARDED AT ANY TIME
MINIMUM NUMBER OF PARKING SPACES REQUIRED 10

PARKING SPACES PROVIDED = 14
PLUS 2 FOR THE RESIDENCE IN THE GARAGE

PETITION

SPECIAL EXCEPTION IN ACCORDANCE WITH BALTIMORE COUNTY ZONING REGULATIONS SECTION 1A02.2.B.2 AND 1A02.2.B.24 (PREVIOUSL ZONING REGULATIONS, BILL NO 178-1979) FOR A RIDING STABLE AND HORSE BOARDING

STATE OF MARYLAND
BRIAN RONALD DORSEY
No. 21080
PROFESSIONAL LAND SURVEYOR

COPYRIGHT 2001 BY GERHOLD, CROSS & ETZEL LTD
THIS PLAT IS PROTECTED BY COPYRIGHT THE USE OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN PERMISSION OF GERHOLD, CROSS & ETZEL LTD

GRAPHIC SCALE 1"=100'
0 100 200 300

REVISION	DATE
ADD PROPOSED PARKING AREA	9-25-01

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION

OF THE

CREIGHTON PROPERTY

2620 OFFUTT ROAD
Deed Ref: S.M. No. 14646 folio 225
Tax Account No.: 22-00-001976
Zoned: R.C. 5 & R.C. 6
Tax Map 76; Grid 11; Parcel 378

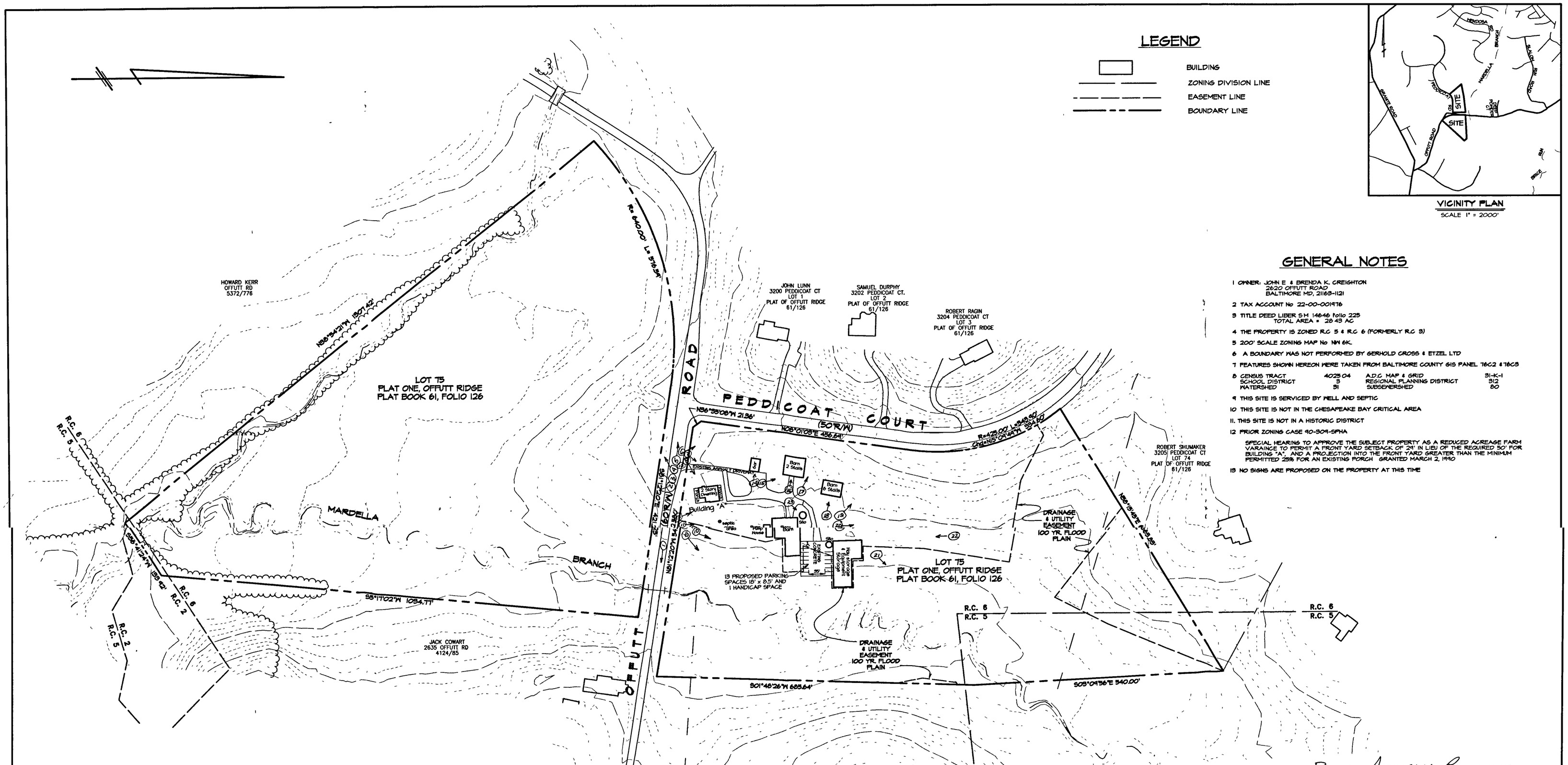
2nd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
SCALE: 1"=100' DATE: AUGUST 22, 2001

Item # 129

Pet No2

GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PLOT DATE 9/25/2001 | TECHNICIAN BD/CRN | FILE NAME X:\creighton\ZONING.pro



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TOTAL AREA ± 26.43 AC

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SCHOOL DISTRICT	5	REGIONAL PLANNING DISTRICT	312
WATERSHED	31	SUBSEWERSHED	80

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11. THIS SITE IS NOT IN A HISTORIC DISTRICT

12 PRIOR ZONING CASE 90-309-SPHA

SPECIAL HEARING TO APPROVE THE SUBJECT PROPERTY AS A REDUCED ACREAGE FARM VARAINCE TO PERMIT A FRONT YARD SETBACK OF 29' IN LIEU OF THE REQUIRED 50' FOR BUILDING "A", AND A PROJECTION INTO THE FRONT YARD GREATER THAN THE MINIMUM PERMITTED 25% FOR AN EXISTING PORCH GRANTED MARCH 2, 1990

13 NO SIGNS ARE PROPOSED ON THE PROPERTY AT THIS TIME

PARKING CALCULATIONS

NO MORE THAN 10 HORSES BOARDED AT ANY TIME
MINIMUM NUMBER OF PARKING SPACES REQUIRED 10

PARKING SPACES PROVIDED ≥ 14
PLUS 2 FOR THE RESIDENCE IN THE GARAGE

PETITION

SPECIAL EXCEPTION IN ACCORDANCE WITH BALTIMORE COUNTY ZONING REGULATIONS SECTION 1A02.2.B.2 AND 1A02.2.B.24 (PREVIOUSL ZONING REGULATIONS, BILL NO 178-1979) FOR A RIDING STABLE AND HORSE BOARDING

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GRAPHIC SCALE 1"=100'
0 100 200 300

REVISION	DATE
ADD PROPOSED PARKING AREA	9-25-01

Plan to Accompany Photographs

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION

OF THE

CREIGHTON PROPERTY

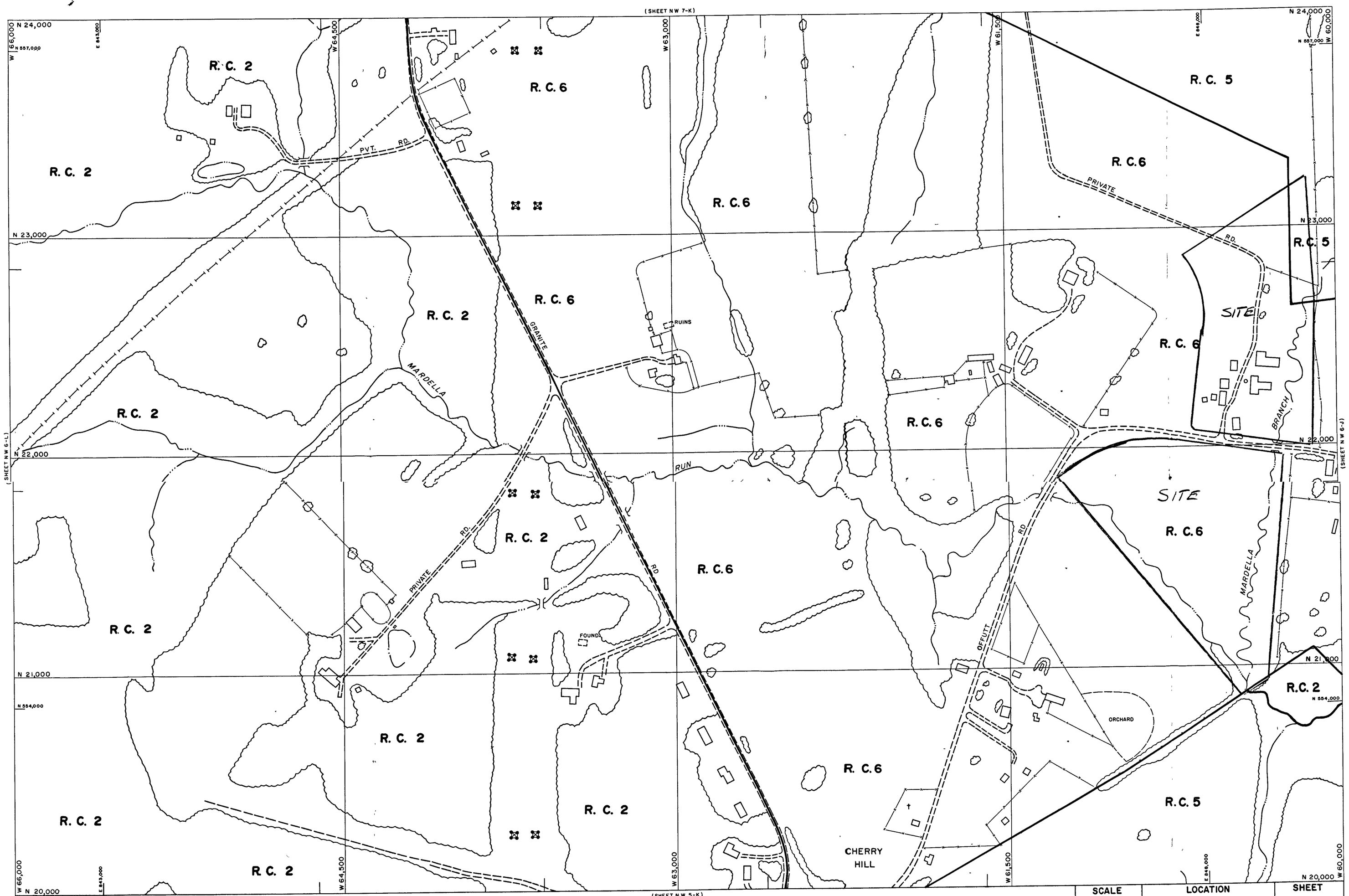
2620 OFFUTT ROAD
Deed Ref: S.M. No. 14646 folio 225
Tax Account No.: 22-00-001976
Zoned: R.C. 5 & R.C. 6
Tax Map 76; Grid 11; Parcel 378

2nd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
SCALE: 1"=100' DATE: AUGUST 22, 2001

Pet No 3

GERHOLD, CROSS & ETZEL, LTD
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PLOT DATE 9/25/2001 | TECHNICIAN BD/CRN | FILE NAME X:\creighton\ZONING.pro



PP-SE
LL-NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD 21210

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bartenfelder
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	CHERRY HILL	N.W. 6-K
DATE OF PHOTOGRAPHY JANUARY 1986		

NW 6 K

Item # 129