

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
NW/S Jerome Avenue corner		
SW/S Carrington Drive	*	ZONING COMMISSIONER
11th Election District		
5th Councilmanic District	*	OF BALTIMORE COUNTY
(5725 Carrington Drive)		
	*	CASE NO. 02-438-A
Rosalie C. Sudano		
Petitioner		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Rosalie C. Sudano. The variance request is for property located at 5725 Carrington Drive in the White Marsh area of Baltimore County. The Petitioner seeks a variance from Section 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), from both the one acre of grazing or pasture land requirement per animal and the three acre minimum lot size. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

ORDER RECEIVED FOR FILING
 at 5/9/02
 By R. Johnson

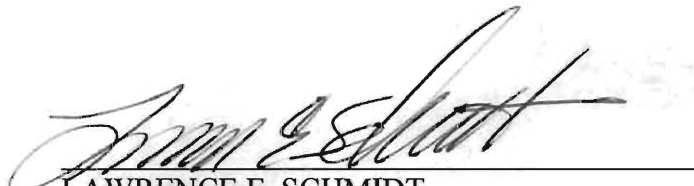
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this 9th day of May, 2002, that a variance from Section 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), from both the one acre of grazing or pasture land requirement per animal and the three acre minimum lot size, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) This variance relief shall be restricted to this animal, specifically a gelding known as "Hayes Sun" only, and not any other horses or animals.

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



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING

Date

5/9/02

By

J.R. Jameson



Baltimore County
Zoning Commissioner

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

May 9, 2002

Dino C. La Fiandra, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204-4515

Re: Petition for Administrative Variance
Case No. 02-438-A
Property: 5725 Carrington Drive

Dear Mr. La Fiandra:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", with a long horizontal flourish extending to the right.

Lawrence E. Schmidt
Zoning Commissioner

TMK:raj
Enclosure

c: Rosalie C. Sudano
5725 Carrington Drive
White Marsh, MD 21162

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5725 Carrington Drive
which is presently zoned DR 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 Variance from Section(s)

100.6 to permit one (1) large livestock animal (horse) on a 0.88+/- acre lot in lieu of the required 3 acres

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, 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:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Dino C. La Fiandra, Esquire

Name - Type or Print

City

Signature

Whiteford, Taylor & Preston, LLP
Company

210 W. Pennsylvania Ave. #400 410-832-2000
Address Telephone No.

Towson, MD 21204
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Rosalie C. Sudano

Name - Type or Print

Signature

Name - Type or Print

Signature

5725 Carrington Drive 410-256-0454
Address Telephone No.

White Marsh, MD. 21162
City State Zip Code

Representative to be Contacted:

Dino C. La Fiandra
Name

210 W. Penna. Ave. #400 410-832-2000
Address Telephone No.

Towson, MD 21204
City State Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 02-438-A

Reviewed By RDD

Date 4/9/02

REV 9/15/98

Estimated Posting Date 4/22/02

ORDER RECEIVED FOR FILING

Date 5/9/02

By [Signature]

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 5725 Carrington Drive
Address
White Marsh, MD 21162
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Please see attached

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Rosalie C. Sudano
Signature

Signature

Rosalie C. Sudano
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of April, _____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Rosalie C. Sudano
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

April 8, 2003
Date

Maie B. Bannick
Notary Public
My Commission Expires 9/01/03

ATTACHMENT TO AFFIDAVIT OF ROSALIE C. SUDANO
IN SUPPORT OF PETITION FOR ADMINISTRATIVE VARIANCE
FOR THE PROPERTY LOCATED AT 5725 CARRINGTON DRIVE

1. I have owned and occupied the subject property since September, 1976. At that time, and continuing until now there has been a small barn located on the property. The barn has two stalls.
2. Since at least 1988 I have boarded my horse "Hayes Sun" (hereinafter, "Sun") on the property, in the barn.
3. I own Sun, and he has lived on the property with me for 20 years. Sun is 28 years old.
4. Sun has a severely debilitating condition called laminitis. This condition which effects a horse's hooves and can be extremely painful to the animal if not properly managed. Laminitis requires careful monitoring and dietary management. Furthermore, the horse's physical activity must be extremely limited, requiring a small paddock of the type located on my property. Sun cannot be ridden anymore and is not rented, leased, or lent to any third parties for any purpose whatsoever. Now Sun is more of a large pet than "livestock".
5. Because I have had the convenience of having the barn on my property, over the past 20 years I have been successful in managing Sun's condition, and allowing him to live a relatively comfortable and pain free life.
6. It would be extremely difficult, if not impossible, to manage Sun's condition if I had to board him at an off-site location. He must be constantly attended to while feeding and exercising. Indeed, he spends most of his day in the barn, except for an hour or so which he spends in the paddock, closely monitored.
7. Prior to 1993, a variance for a horse on this lot was not required, because the minimum lot size was 1 acre for 1 horse. However, in 1993 the law changed, and required a three acre minimum lot size to accommodate one horse. The BCZR still provides for 1 horse per acre. It is only the minimum lot size that changed.
8. A correction notice issued by Baltimore County Code Enforcement has generated the need for zoning relief to allow the horse to remain on the property. I was unaware the law had changed in 1993.
9. Although it may also be appropriate to accomplish this zoning approval by requesting confirmation of a non-conforming use, I have elected to Petition for an Administrative Variance with the hope that it will save me time and expense by avoiding a public hearing.

10. Lastly, I attach the letter of Sun's veterinarian, Dr. Jacobson, to substantiate his condition, and his requirements.

249904

Russell L. Jacobson, D.V.M., P.A.

2 APRIL 02

TO WHOM IT MAY CONCERN:

RE: ZONING ISSUE WITH ROSALIE SUDANO.

THE DARK BROWN Aged Gelding, SON, HAS RESIDED ON THIS PROPERTY TO MY KNOWLEDGE SINCE 1988.

THIS HAS A DEBILITATING CONDITION CALLED LAMINITIS.

HE REQUIRES CAREFUL MONITORING AND DAILY TREATMENT.

DIETARY MANAGEMENT IS CRITICAL, AND HE MUST HAVE RESTRICTED GRASS INTAKE AND TURN OUT LIMITED TO A SMALL Paddock.

MRS. SUDANO HAS VERY SUCCESSFULLY MAINTAINED THIS HORSE AT HER RESIDENCE FOR MANY YEARS. IT WOULD BE A HARDSHIP FOR HER TO MOVE THIS HORSE. IF REQUIRED TO DO SO, I WOULD OFFER EUTHANASIA OF THE ANIMAL -



P.O. Box 361

Forest Hill, Maryland 21050-0361

(410)836-1660



ZONING DESCRIPTION FOR 5725 Carrington Drive

Beginning at a point on the north side of Jerome Avenue which is 50 feet wide at the distance of 100 feet southwest of the centerline of the nearest improved intersecting street, Carrington Drive, which is 80 feet wide. Being Lot #11, Block C, in the subdivision of Darryl Gardens as recorded in Baltimore County Plat Book #13, Folio #137, containing 0.88 acres, more or less. Also known as 5725 Carrington Drive and located in the 11th Election District, 5th Councilmanic District.

249898

Item # 438

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12619

DATE 4/9/02 ACCOUNT 001 006 6150
AMOUNT \$ 50⁰⁰

RECEIVED
FROM: _____

FOR: Ad. Var. case # 02-438-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
4/09/2002 4/09/2002 11:23:03
REG W305 WALKIN ROOS LRB DRAWER 5
>>RECEIPT # 260584 4/09/2002 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 012619

Recpt Tot \$50.00
50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 02-438-A
Petitioner/Developer:
Rosalie C. Sudano
Closing Date: 05/07/02

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

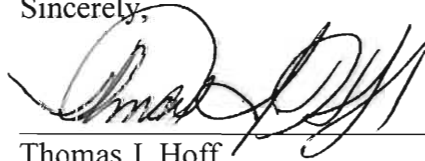
Attention: Mr. George Zahner

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 **5725 Carrington Dr..**

The sign(s) were posted on **04/22/02.**

Sincerely,



Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 438 -A

Address 5725 Carrington Dr

Contact Person: David Duvall
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4-9-02

Posting Date: 4-22

Closing Date: 5-7

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 438 -A Address 5725 Carrington Dr

Petitioner's Name Rosalie C. Sudano Telephone 410 256-0454

Posting Date: 4-22-02 Closing Date: 5-7-02

Wording for Sign: To Permit one large livestock animal (horse) on a
0.88 acre lot in lieu of the required three acres



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

May 7, 2002

Dino C LaFiandra Esquire
Whiteford Taylor & Preston LLP
210 W Pennsylvania Avenue
#400
Towson MD 21204

Dear Mr. LaFiandra:

RE: Case Number: 02-438-A, 5725 Carrington Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 9, 2002.

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. *WCR*
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Rosalie C Sudano, 5725 Carrington Drive, White Marsh 21162
People's Counsel

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





Baltimore County
Fire Department

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

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

April 18, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

426-435, 437-439

438

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

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: May 21, 2002

FROM: Robert W. Bowling, Supervisor *RWB/DAK*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 2002
Item Nos. 424, 427, 428, 429, 430, 431,
433, 434, 435, 436, 437, 438, 439, 440,
441 and 442

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

RWB:CEN:cab

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TBT*

DATE: May 10, 2002

Zoning Reclass/ Redistricting Petitions

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

CASES 454-457

Zoning Advisory Committee Meeting of April 22, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

424, 428, 429, 431, 433, 434, 435, 437, 438, 439, 440, 442

AM
5/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 23, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 5728 Carrington Drive

INFORMATION:

Item Number: 02-438

Petitioner: Rosalie C. Sudano

Zoning: DR 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow one(1) large livestock animal on a 0.88 acre lot in lieu of a 3 acre lot minimum.

Prepared by: Mark A. Campbell

Section Chief: Jeffrey W. Long

AFK/LL:MAC

APR 24 2002
SIGNATURE



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.18.02

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

RE: Baltimore County
Item No. 438 ZDP

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,

lc 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, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: April 22, 2002

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No. : 438
Case No.: 02-438-A
Legal Owner/Petitioner: Rosalie C. Sudano

Property Address: 5725 Carrington Drive

Location Description: N/west side Jerome Ave. corner S/w side Carrington Drive

VIOLATION INFORMATION: Case No.: 02-1269

Please be advised that the aforementioned petition is the subject of an active violation case.

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
Correction Notices
Photos (4)

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/lrs

c: Code Enforcement Officer Ron Turner

IDE ENFORCEMENT REPORT

DATE: 03/17/02 INTAKE BY: KP CASE #: 02-1269 INSPEC: 5

COMPLAINT LOCATION: 5725 Carrington Dr.

ZIP CODE: 21162 DIST: _____

COMPLAINANT NAME: ANON. Letter PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Not enough property for a horse. Dumping manure across the street.

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: 11 04 050576 ZONING: _____

INSPECTION: -3/8/02- Upon Inspection of this property I found one horse in the rear of this property. A Correction Notice was written, mailed and posted. (ANON Letter.)

REINSPECTION:

P/4

4/12/02

REINSPECTION:

REINSPECTION:

16/02
-8
JT

To Whom It May Concern:

The residents at 5725 Carrington Drive have a horse. They do not have the proper amount of property to maintain a horse. Also, one of the residents has been spreading the contents of the horse's stable in the center of the circle located across the street from them. I do not believe the property belongs to them.

ACF

02-666



Baltimore County
Department of Permits and
Development Management

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

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

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No.	Property No.	Zoning
02-1269	1104050576	D.R.5.5
Name(s):	Rosalie Sudano	
Address:	5725 Carrington DR/White Marsh	
Violation Location:	Same 21162	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Section BCZR 100.6

Remove Horses From this Resid
ential property zones D.R.5.5
This property Does Not meet the
Minimum Acreage grazing or
pasture Land for Livestock.

Mailed/Posted

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 4/12/02	Date Issued: 3/11/02
-----------------------	----------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

Ron Turner
Ron Turner

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:	Date Issued:
-----------------	--------------

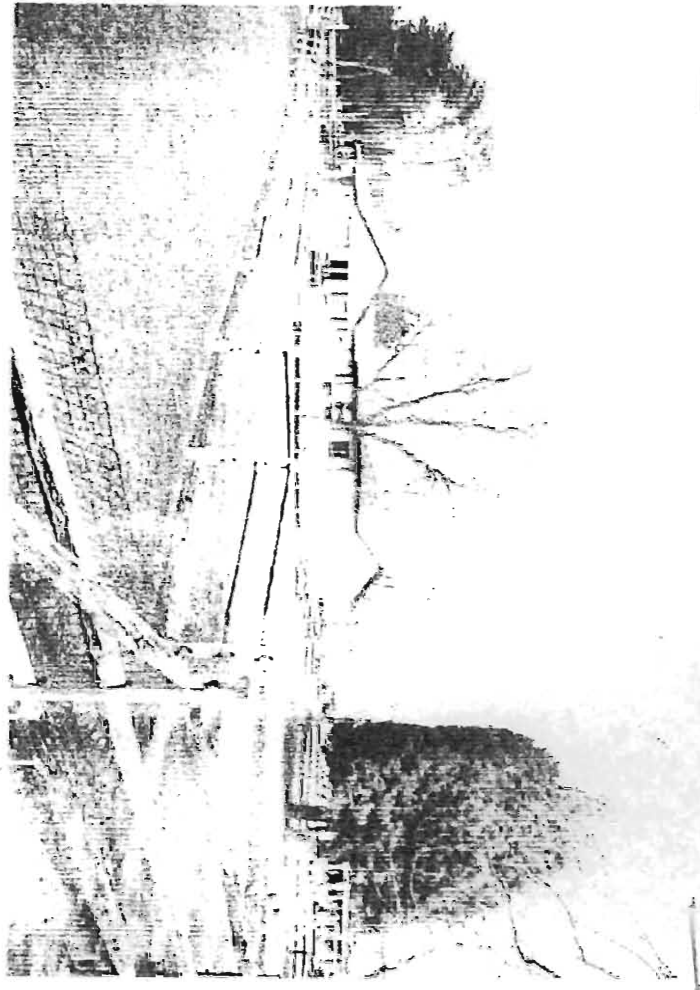
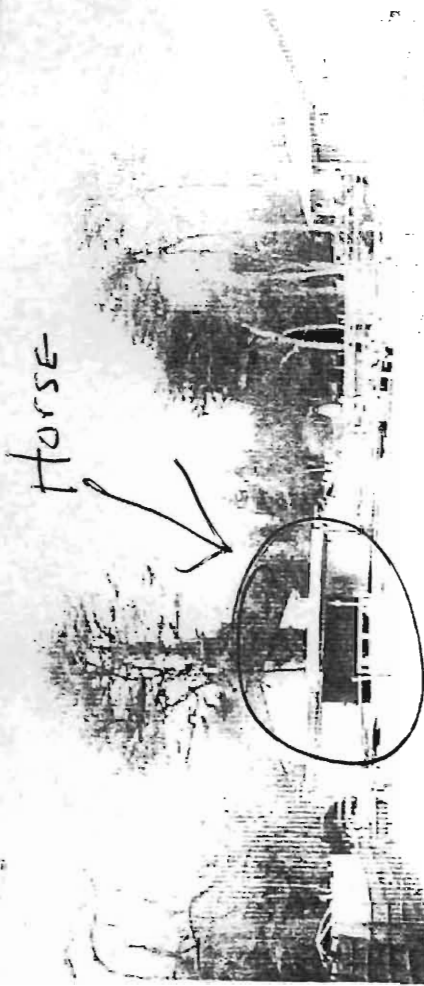
INSPECTOR:

AGENCY

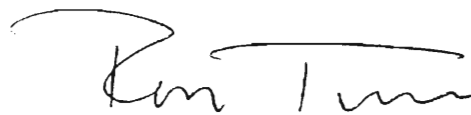
PHOTOGRAPHIC RECORD

Citation/Case No.: 02-1269

Date of Photographs: 3/8/02



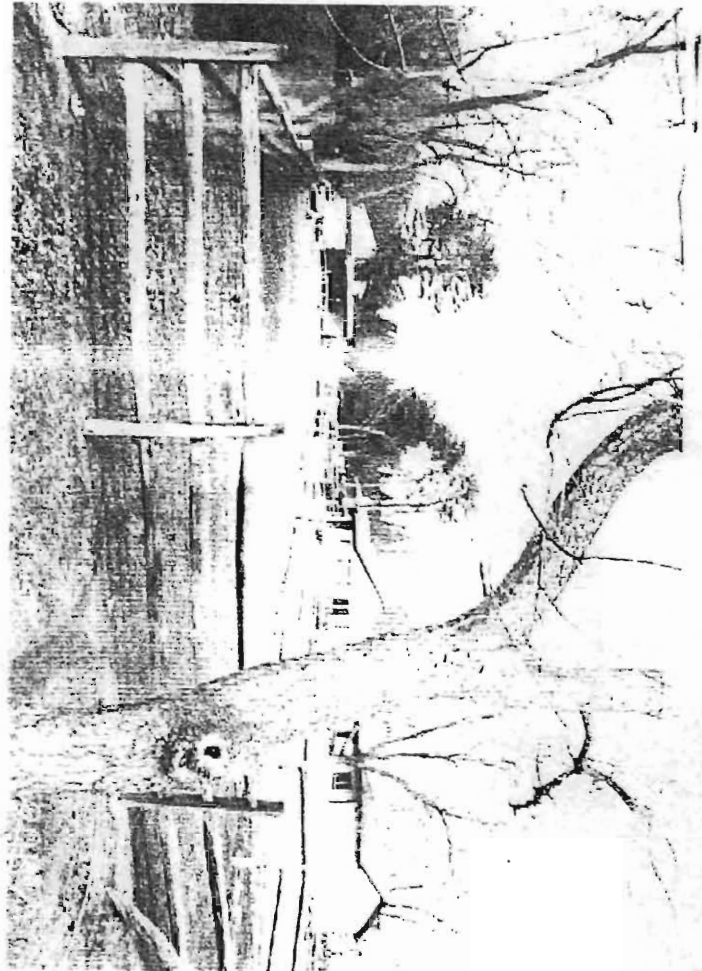
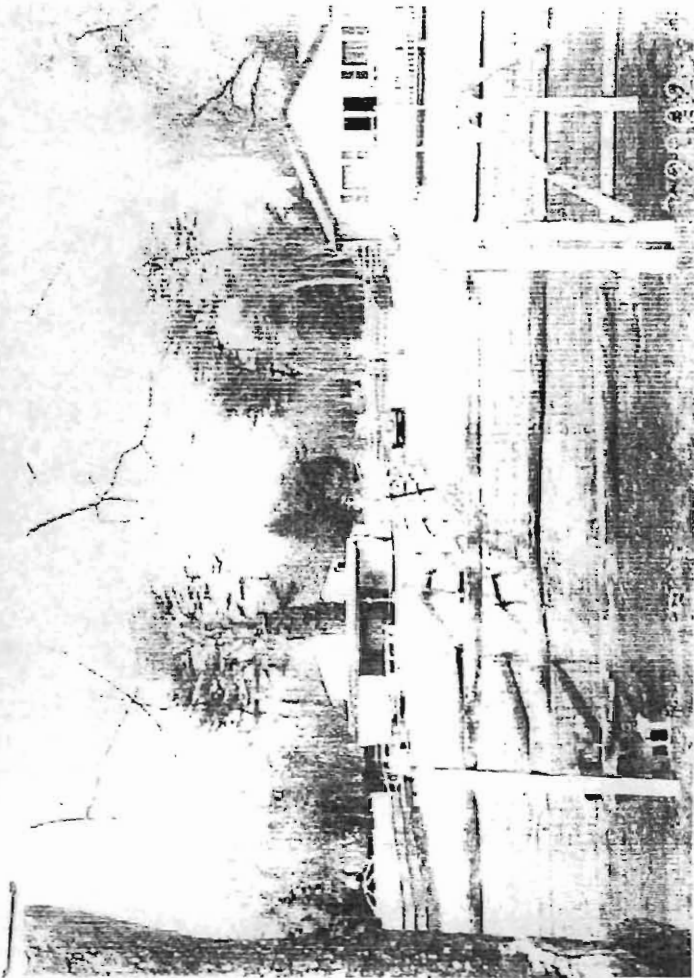
I HEREBY CERTIFY that I took the 2 out of 4 photographs set out above, and that these photographs
(number of photos)
fairly and accurately depict the condition of the property that is the subject of the above-referenced
citation/case number on the date set out above.


Enforcement Officer

PHOTOGRAPHIC RECORD

Citation/Case No.: _____

Date of Photographs: _____



I HEREBY CERTIFY that I took the 2 out of 4 photographs set out above, and that these photographs
(number of photos)
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.


Enforcement Officer

AV
5/6

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

20 COLUMBIA CORPORATE CENTER
10420 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044-3528
TELEPHONE 410 884-0700
FAX 410 884-0719

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

DINO C. LA FIANDRA
DIRECT NUMBER
410 832-2084
DLafiandra@wtplaw.com

May 7, 2002

MAY 7 2002

Via Hand Delivery

Mr. Lawrence E. Schmidt, Zoning Commissioner
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

Re: 5725 Carrington Drive, Administrative Variance # 02-438-A

Dear Mr. Schmidt:

This office represents Rosalie Sudano, the petitioner in the above-referenced administrative variance request. The public notice period closed on May 6, 2002, and there were no requests for public hearing.

The request is for a variance from "section 100.6 to permit one (1) large livestock animal (horse) on a 0.88 +/- acre lot, in lieu of the required three acres." The zoning office has advised that you or your deputy will receive the petition for ruling within the next day or so.

In reviewing the request for relief, it occurs to me that the language of the request could have been a bit clearer. Specifically, section 100.6 requires one acre of grazing or pasture land per animal, with a three acre minimum lot size. As worded, the request in the petition is intended to seek a variance from both the *one acre of grazing or pasture land requirement per animal*, and the *three acre minimum lot size*. There is, in fact, a small paddock area on the lot, shown on the zoning site plan as a fenced area to the east of the stable, in which the 28 year old horse walks about for brief periods of time during the day under extremely close supervisor because of its medical condition. The horse has a health condition which is manageable with proper care. The condition of the property and the horse at issue, discussed in the affidavit to support the request, clearly warrant the requested relief. ✓

MAY 7 2002

Mr. Lawrence E. Schmidt, Zoning Commissioner

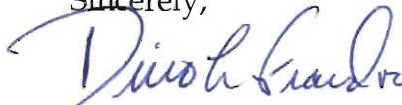
May 7, 2002

Page 2

If your office were inclined to grant the relief, I would appreciate your order reflecting a variance from both aspects of section 100.6, as intended. I believe the petition was clear enough to provide adequate notice of the nature of relief actually sought, and of course, as stated, there were no requests for public hearing or objections by the community.

Thank you for your attention to this matter. Should you have any questions, please contact me.

Sincerely,



Dino C. La Fiandra

C: Ms. Rosalie Sudano

252474

1. EM
#438

Lot 10
11889/708



Joanne m Kough Jerome Ave
Front view



1. EM
438

5723 Carrington DR. View

S 15 Carrington DR

Front
View



ITEM
#438



ITEM
#438

Jerome Ave View

eyes Sun

28 years
010

Bucket
muzzle

ITEM #
438



ITEM
#438

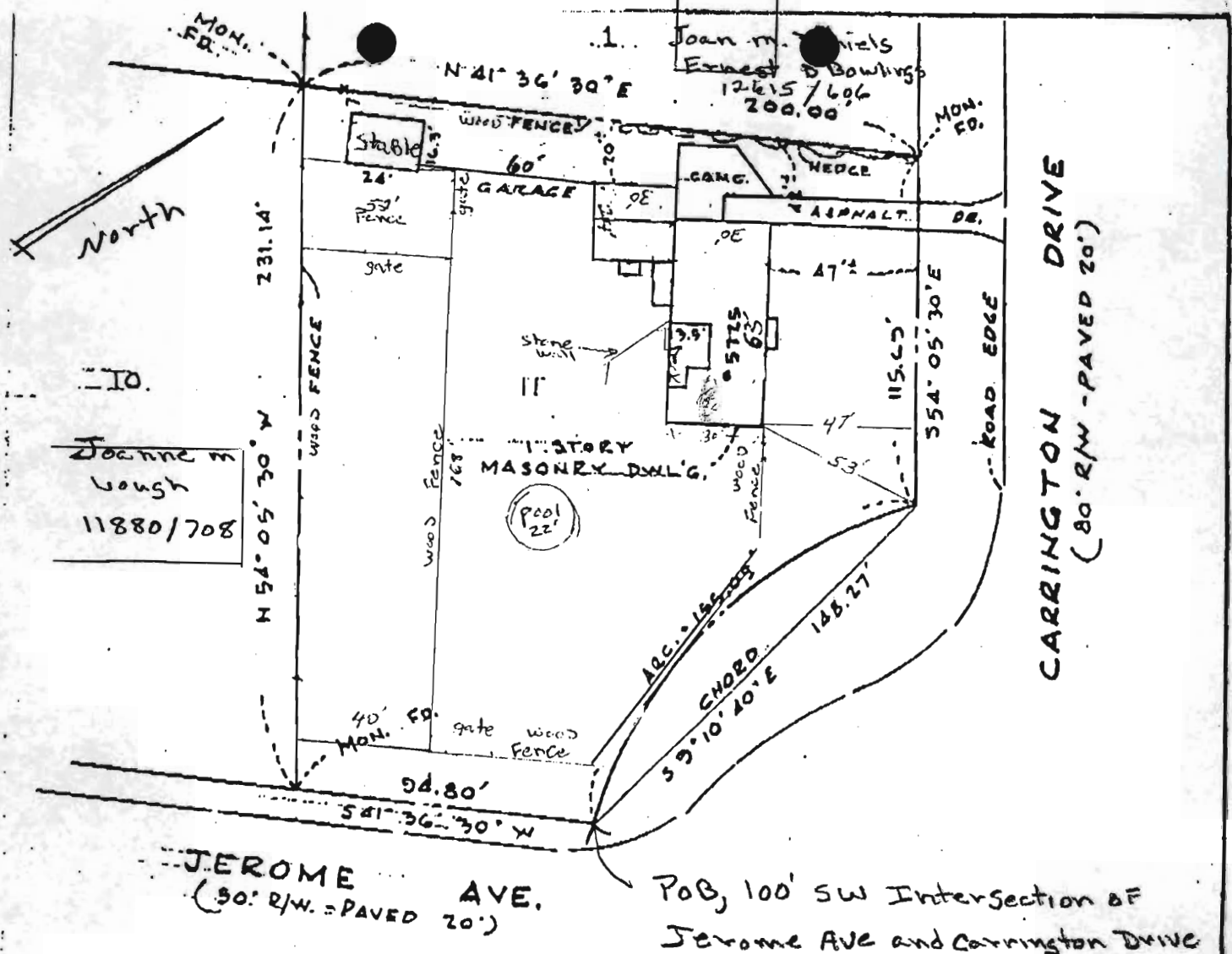
ITEM
#438



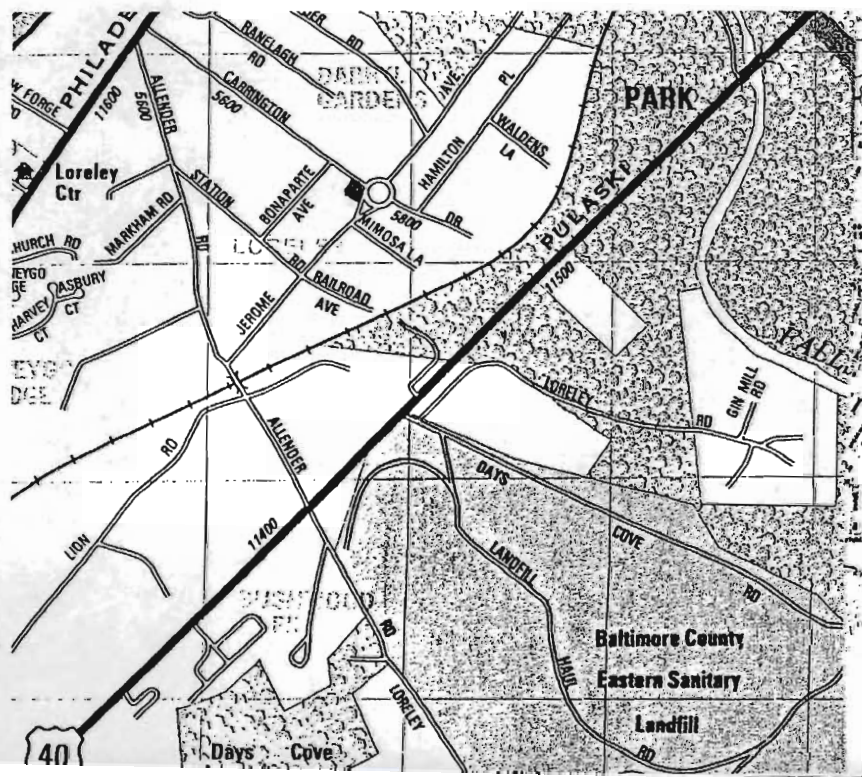
5725 Carrington Dr
View From Stable to Jerome Ave.



View From - Center of Carrington Circle



SCALE 1" = 50'	Plan to Accompany Petition For Administration Variance		
DATE 04-8-02	5725 Carrington Drive	11th District	Balto. Co., Md.



Prior Zoning Hearings: none

38,127: SF OF Acreage
0.887- Acres

Councilmanic District: 5
Zoning: DR2

NE 10 J-K

Pet Ex. #1

ITEM # 439

