IN RE: PETITIONS FOR SPECIAL EXCEPTION

AND VARIANCE - S/S Edmondson Avenue,

129.75' E of the c/l Rolling Road

(1811 Edmondson Avenue)

1st Election District

1st Council District

Timothy R. Rhodes Petitioner BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 05-532-XA

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Timothy R. Rhodes. The Petitioner requests a special exception for a private kennel on the subject property, zoned D.R.2, and variance relief from Section 421.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 1 foot in lieu of the minimum required 200 feet for a kennel. 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 1.

Appearing at the requisite public hearing in support of the requests were Timothy Rhodes, and his fiancée, Jennifer O'Dell (Dell) Hagan. Several residents from the surrounding community appeared in opposition to the request. They included Kenneth and Patricia Masters, the adjacent property owners, Sister Joan Marie Foster, who resides to the rear of the property, and Ann A. Puls, Mark and Patricia Weaver, Vail Anderson, Carla Vesay and Yuly A. Vega, all nearby residents of the neighborhood. Kenneth Masters served as spokesperson for this group. Appearing and testifying as a witness called by the Protestants was Jeff Radcliffe, the Code Inspector for this area and a representative of the Department of Permits and Development Management (DPDM).

In this regard, this matter came before me as the result of a complaint registered with the Code Enforcement Division of DPDM relative to the number of dogs being kept on the property. The Petitioner was advised to file the instant Petitions in order to resolve the matter. A public hearing was originally scheduled for June 8, 2005; however, on June 7, 2005, Counsel for the Petitioner, J. Neal

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Lanzi, Esquire, advised this Office that he had just been retained and needed time to prepare. Moreover, a key witness in the case could not attend the hearing on June 8, 2005 for health reasons. Pursuant to Rule 4, Appendix A of the Rules of Practice and Procedure, I granted a postponement in open hearing on June 8, 2005 and by agreement of all parties, the matter was rescheduled for July 8, 2005. It is to be noted that the property was re-posted giving public notice of the new hearing date, time and location.

At the hearing on July 8, 2005, testimony and evidence presented revealed that the subject property is a rectangular shaped parcel, approximately 26 feet wide and 175 feet deep, located on the south side of Edmondson Avenue, just east of Rolling Road in Catonsville. The property contains a gross area of 0.1048 acres, or 4,565 sq.ft., zoned D.R.2, and is improved with a two-story dwelling and accessory garage. As shown on the site plan, the house is a semi-detached (duplex) home, which shares a common wall with the Masters' home, and the garage is shared by both properties. A wood fence encloses the rear yard. The Petitioner has owned the property since September 2004; however, has resided thereon since August 2002. Testimony indicated that around that same time, Mr. Rhodes adopted three retired racing Greyhound dogs, ages 5, 7 and 8 years who live with him on the property. Subsequently, he met Ms. Hagan, who also owns two retired Greyhound dogs, ages 9 and 10. Although she does not yet reside on the property, she visits the property with her two dogs often and she and Mr. Rhodes intend to marry. It was apparently after she began visiting Mr. Rhodes that an issue arose among the neighbors relative to the number of dogs on the property. Following several complaints by the neighbors and attempts by the Petitioner to address their concerns, the Petitioner was cited with a code violation and advised to file the instant Petition.

In support of the proposal, Mr. Rhodes and Ms. Hagan testified relative to the history of the breed and the knowledge required to properly care for these dogs. They also produced over the objection of the Protestants, a volume of letters and written testaments in support of their proposal. (See Petitioner's Exhibits 3 through 8). They testified that a Greyhound's life expectancy is believed to be between 10 and 13 years and described their pets as two "seniors" and three approaching the end of life. They have no intention of breeding the dogs or entering into any kind of commercial business

NECENTED FOR FILENCE

boarding other people's dogs on their property. They wish only to keep the five dogs they currently own for so long as they live.

The Protestants are vehemently opposed to the Petitioner's request. They expressed concerns about the odors emanating from the site, the flies generated from the number of dogs kept on the property, and the general unsightliness of the rear yard. They testified that they did not have a problem until Mr. Rhodes moved to the property and acquired the dogs. They further testified that when Mr. Rhodes purchased the property, there was a lawn in the back yard. However, there is no longer any grass and storm water runoff carries erosion and fecal matter downstream to other properties. It was indicated that after they complained, Mr. Rhodes responded by covering the barren soil with wood chips to minimize erosion and the smell of urine and fecal matter. The neighbors contend that the wood chips have exacerbated the problem because they become saturated with the waste materials causing a stench to permeate the area. Since the summer of 2004, the odor, flies and appearance of rats have severely limited the adjoining neighbors' use and enjoyment of their yards.

Mr. Radcliffe corroborated the testimony offered by the Protestants. Since receiving a complaint on August 23, 2004, he has inspected the property on six occasions. In December 2004, he documented the number of piles of feces in the Petitioner's rear yard and detected odor. He also believes the wood chip cover to be inappropriate as it retains moisture and causes a muddy condition in the yard. On cross-examination, however, Mr. Radcliffe did agree that the nuisance had abated on his most recent visits to the property.

The Petitioner disputed this testimony and explained the accumulation of feces in December was an isolated incident and that he uses lime to disinfect the mulch. Mr. Rhodes indicated that he normally feeds the dogs and lets them out in the morning. If Ms. Hagan is home, she will pick up after them and put them back in the house. Ms. Hagan, who has owned her dogs for the past 7 years, teaches at the Community College of Baltimore and usually leaves the house at 8:45 AM and returns between 3:30 and 4:00 PM. The Petitioners contend that the dogs do not bark, are never outside unsupervised, and that the yard is cleaned daily.

Patricia Masters, who resides in the attached dwelling on the adjacent property and is most directly affected by the proposal, testified concerning the adverse impacts the dogs have had on her use and enjoyment of her property. She indicated that the barking and odors, and attendant flies interfere with her family's enjoyment of their back yard. She also testified that she has had to call an exterminator, but still sees rats on her property. Sister Joan Marie Foster, who resides to the rear of the property, as well as other nearby neighbors, attest to the adverse impacts the dogs have had on their use and enjoyment of their property.

Section 101 of the B.C.Z.R. defines the words and phrases used throughout the zoning regulations. A "kennel" is defined therein as "Any building, or structure, or land, or any portion thereof, which is used, intended to be used, or arranged for the housing of more than three (3) dogs, not counting pupples less than four (4) months old, for purposes of show, hunting, breeding, or sale, or as pets, excluding a farm or pet shop." Thus, notwithstanding the fact that Mr. Rhodes does not operate a commercial kennel on his property, his proposal to keep five dogs on the property constitutes a kennel operation under the B.C.Z.R. Kennels are permitted in residential zones only by special exception. That is, they are not a use permitted by right. However, a property owner who wishes to operate a kennel must obtain relief, pursuant to Section 502.1 of the B.C.Z.R. Moreover, certain setback requirements must be met in order to operate a kennel on residentially zoned property. In this regard, a minimum 200-foot setback from any property line is required.

On behalf of the Petitioner, Mr. Lanzi argued that the conditions delineated in Section 502.1 of the B.C.Z.R. have been met. He noted that due to the small size of the lot, the Petitioner cannot comply with the required setback and that to require strict compliance would result in an unreasonable hardship to the Petitioner and his fiancée. In an effort to mitigate impacts on adjacent properties, Ms. Hagan indicated that she would leash-walk her two dogs and not allow them to run in the rear-fenced area. Mr. Rhodes testified that he would consider expanding the fenced rear yard area after having discussed options with his adjacent neighbor to the west, Ms. Ellen "Callie" Coe, who resides at 1813 Edmondson Avenue.

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To say that Mr. Rhodes and Ms. Hagan are attached to these animals and treat them as family would be a vast understatement. They described each pet and submitted for identification photographs of each dog. As previously stated, numerous letters of support were received, including one from another adjacent neighbor and the Petitioner's veterinarian. These letters demonstrate the love, affection and attention the Petitioner and Ms. Hagan devote to their dogs. Conversely, I have the testimony of the neighbors who have resided in the community for many years and are opposed to a kennel on the subject property, which is only 25 feet wide and has only approximately 40 feet of usable rear yard space. Additionally, Petitions signed by 21 property owners requesting a denial of the special exception were collectively submitted and marked as Protestant's Exhibit 2.

In considering this matter, it is to be emphasized that this case is not about Mr. Rhodes or Ms. Hagan's devotion to their animals, or whether a denial of the request will cause an upset to the animals if they are separated. Rather, this is a zoning case in which the B.C.Z.R. and the case law that has interpreted those zoning regulations need be applied. The law of special exceptions and the standards therefore are set out in Section 502.1 of the B.C.Z.R. Essentially, the Petitioners must demonstrate that the proposed use at the subject location will not be detrimental to the health, safety and general welfare of the locale. Mr. Lanzi and the Petitioners argue that it will not. The neighboring residents argue that it will.

In the seminal case of Schultz v. Pritts, 291 Md. 1 (1981), the Court of Appeals observed that special exceptions are an appropriate part of the zoning scheme which carry with them a presumptive inference of permissibility. That is, in order for a special exception to be denied, it must be shown that the proposed use at the particular location proposed would have an adverse effect above and beyond that ordinarily associated with such use. Later, in another case, the Court of Special Appeals observed that it is not whether the use permitted by special exception will have adverse effects (such effects are implied in the first instance by making such uses special exceptions rather than permitted uses), it is whether the adverse effects at the particular location proposed would be greater than those impacts ordinarily associated with the particular use at another location. (See Mossberg v. Montgomery Co., 107 Md. App. 1 (1995).

In applying the standards set forth in Section 502.1 of the B.C.Z.R. and the case law, I am not persuaded that the Petitioner has met his burden. In my judgment, the size of the subject property, the actual area of the back yard, the close proximity of the neighbors, and the character of the community are persuasive factors. I explain. The subject property is simply inappropriate, in my judgment, to support the proposed kennel operation. This is particularly so in view of the type of house (a duplex sharing a common wall and property line), and its small rear yard. Mr. Rhodes proposes to expand the currently fenced area to include a portion of Ms. Coe's rear yard to provide more room for the dogs to exercise freely; however, there was no evidence to indicate that Ms. Coe has authorized such an accessory use of her property. In that the front yard cannot be so used, the area of the lot that can be used for the kennel operation is less than ½ of the total acreage of the property. That is, although the total lot size is approximately 0.105 acres in area, the kennel itself would occupy less than ½ that sum. Additionally, the rear yard contains a garage that further restricts the actual usable area.

Moreover, the Office of Planning submitted a negative Zoning Advisory Committee comment in which they recommended a denial of the requests. They note that the adjacent dwelling to the west (Ms. Coe) is as close as 10 feet from the proposed and that noise, odor and traffic generated by the proposed kennel could be detrimental to the surrounding neighborhood.

I concur with this assessment. The subject property is simply not large enough to support the proposed kennel operation. This isn't a rural locale, but a suburban area, which is intensely developed. It is inappropriate for the neighbors who live within such close proximity of the property to suffer the impacts on a daily basis of five (5) adult Greyhound dogs. The Petitioner and his fiancée testified that they closely monitor the animals in an attempt to minimize their impacts. Although this may be so, dogs are animals and not people. They bark at strangers or howl when separated from their owners, relieve themselves outdoors, etc. Despite the Petitioner's best efforts, these impacts have had serous repercussions on the neighborhood. Thus, I am compelled to deny the Petition for Special Exception.

Additionally, the Petition for Variance should be denied. Variance relief must be considered in accordance with Section 307 of the B.C.Z.R. In this case, I find no factor that supports a

conclusion that this property is unique thereby justifying variance relief. Clearly, the Petitioner cannot comply with the 200-foot setback without locating the kennel and dogs on adjacent property lines. Moreover, the Petitioners offer to expand the fenced area and leash walk two dogs would be of little practical benefit in that there would still remain five adult dogs residing on the property. While I am sympathetic to the Petitioners plight and their devotion to their animals, the proposal to maintain them in an intense residential development is inappropriate. The subject property is simply too small to accommodate the proposed use. The Petitioners would be well advised to seek a larger, more rural location to house their dogs.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the Petitions for Special Exception and Variance shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of July 2005 that the Petition for Special Exception to permit a private kennel on the subject property, zoned D.R.2, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 421.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a private kennel with a property line setback of 1 foot in lieu of the minimum required 200 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

Zoning Commissioner for Baltimore County

WJW:bjs

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

July 28, 2005

J. Neil Lanzi, Esquire 409 Washington Avenue, Suite 617 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE S/S Edmondson Avenue, 129.75' E of the c/l Rolling Road (1811 Edmondson Avenue)

1st Election District – 1st Council District

Timothy R. Rhodes - Petitioner

Case No. 05-532-XA

Dear Mr. Lanzi:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Timothy R. Rhodes

1811 Edmondson Avenue, Catonsville, Md. 21228

Mr. & Mrs. Kenneth Masters

1809 Edmondson Avenue, Catonsville, Md. 21228

Sister Joan Marie Foster & Ms. Ann Puls

31 N. Rolling Road, Apt. 2, Catonsville, Md. 21228

Mr. & Mrs. Mark Weaver, 1807 Edmondson Avenue, Catonsville, Md. 21228

Mr. Vail Anderson, 27 N. Rolling Road, Catonsville, Md. 21228

Ms. Carla Vesay, 1805 Edmondson Avenue, Catonsville, Md. 21228

Mr. Yuly A. Vega, 1803 Edmondson Avenue, Catonsville, Md. 21228

Mr. Jeff Radcliffe, Code Enforcement Division, DPDM; People's Counsel; Case File



Visit the County's Website at www.baltimorecountyonline.info



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

which is presently zoned D. R. 2

for the property located at 1811 Edmondson Ave

This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Special Exception unherein described property for "	is described in the description and plat attached hereto's
the use of a private kennel in	1 a D.R.2 zone.
Property is to be posted and advertised as prescribed by the zor I, or we, agree to pay expenses of above Special Exception, advertising zoning regulations and restrictions of Baltimore County adopted pursuant	ing, posting, etc. and further agree to and are to be bounded by
	perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s): Timothy R. Rhodes
Name - Type or Print	Name - Type or Print
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code Attorney For Petitioner:	Signature 1811 Edmondson Auc 4107448070 Address Telephone No.
Name - Type or Print	Cotonsule MD 21228 City State Zip Code
Cianotura	Representative to be Contacted:
Signature	Timothy Rhodes
mparty	1811 Edmondson Ave 4107448017
Address Telephone No.	Address Catensulle MD 21228
State Zip Code	City State Zip Code
	OFFICE USE ONLY
dase No. 05.532 -× A	ESTIMATED LENGTH OF HEARINGUNAVAILABLE FOR HEARING
	Reviewed By 500 Date 4/19/05



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1811 Edmondson Ave which is presently zoned D. L. 2

This Petition shall be filed with the Department of I	Permits and Development Management. The undersigned, legal owner(s
OT THE DEPORTY SITUATE IN HAITIMORE COUNTY AND WHICH) is described in the description and plot offerhad becall and million within
neteor, hereby petition for a variance from Section(s)	421.1 — to permit a Gennel with a Setback
	1211 10 haven a became a with a so land
	of 1ft. In lieu of the required 200 ft. to the
	nearest property line.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) To be presented of the hearing.

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:		Legal Owner(s):
Name - Type or Print			Name - Type or Print
Signature			Signature 1
Address	. 	Telephone No.	Name - Type or Print
City Attorney For Petition	State 1 er :	Zip Code	Signature 1811 Edmondson Ave 4107448070
Vame or Print	· 	· ·········	Address City Telephone No. 21228 State Telephone No. 21228 Zip Code
Signa	······································		Representative to be Contacted:
			Timothy Bhodes
Company	, <u>.</u>		1811 Edwardsen Ave 410 144 8070
Addr		Telephone No.	Address MD Telephone No. 2028
City B CO CO	State	Zip Code	City State Zip Code
			OFFICE USE ONLY
(ASP	532-XA		ESTIMATED LENGTH OF HEARING
REV 9/45/90		Reviewed By	UNAVAILABLE FOR HEARING Date 4/19/05

MARKS & ASSOCIATES L.L.C.

LAND SURVEYORS, ENGINEERING AND LAND PLANNERS

Tel (410) 747-8738 Fax (410) 747-8739

4531 College Avenue Ellicott City, Maryland 21043

Property Description 1811 EDMONDSON AVENUE BALTIMORE COUNTY, MARYLAND

Being a parcel of ground located South 74° 21' East 118.55 feet from the intersection formed by the easterly line of Rolling Road and the southerly line of Edmondson Avenue, thence running along Edmondson Avenue 26.14 feet, thence leaving Edmondson Avenue, 175.61 feet, thence 26.18 feet and 173.90 feet, being known as 1811 Edmondson Avenue.

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NOTICE OF ZONING HEARING

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

Case: #06-532-XA

1811 Edmondson Avenue

S/side of Edmondson Avenue, 129 feet at centerline of Rolling Road

1st Election District — 1st Councilmanic District

Legal Owner(s): Timothy R. Rhodes

Variance: to permit a kennel with a setback of 1 foot in lieu of the required 200 feet to the nearest property line.

Special Exception: to permit the use of a private kennel in a D.R. 2 zone.

Hearing: Wednesday, June 8, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bostey Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

JT 5/745 May 24

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CERTIFICATE OF PUBLICATION

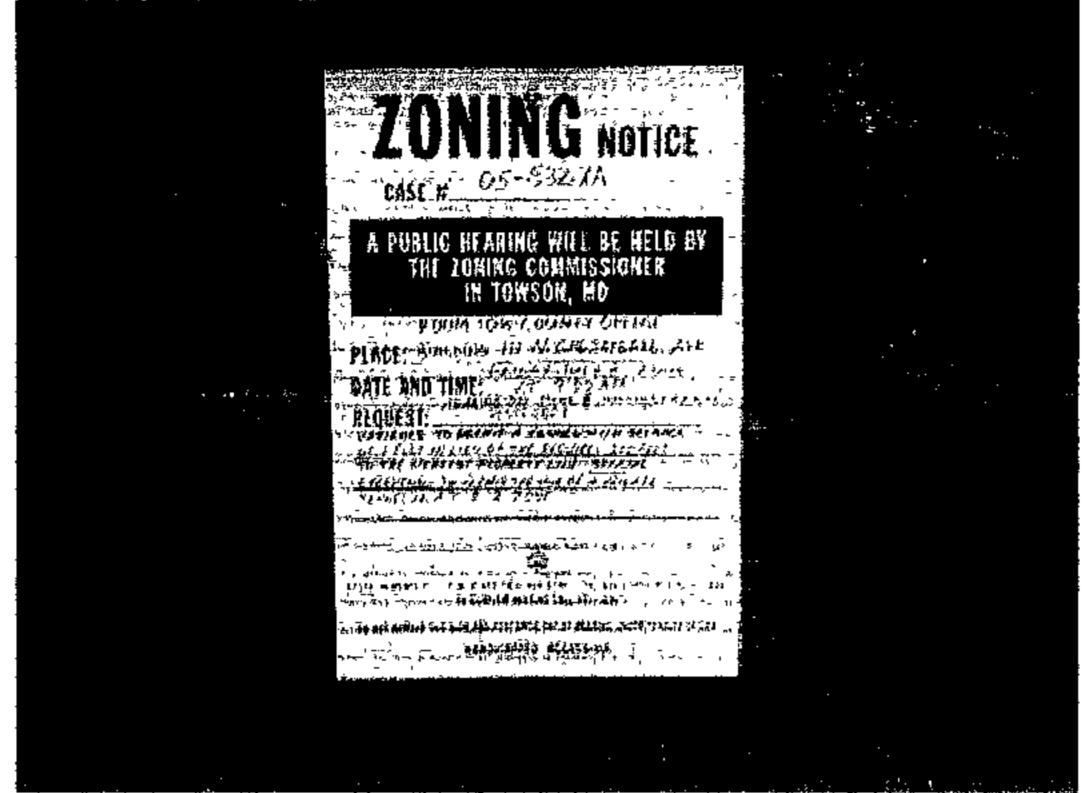
526,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md., once in each ofsuccessive weeks, the first publication appearing on $524[,2005]$.
on
Catonsville Times Towson Times
 Owings Mills Times NE Booster/Reporter North County News
S. Wilkings

LEGAL ADVERTISING

CERTIFICATE OF POSTING

	Petitioner/Developer:	
	TIMOTHY RHODES	
	Date of Hearing/Closing: 7/8/05	
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	JUN 2 4 2005	
Attention:	ZONING COMMISSIONE	
Ladies and Gentlemen:	T Y Equation 1.	
This letter is to certify under the penaltic sign(s) required by law were posted constant. SII EDMON.	sof perjury that the necessary ispicuously on the property	
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Martin Gl. June 9, 2005

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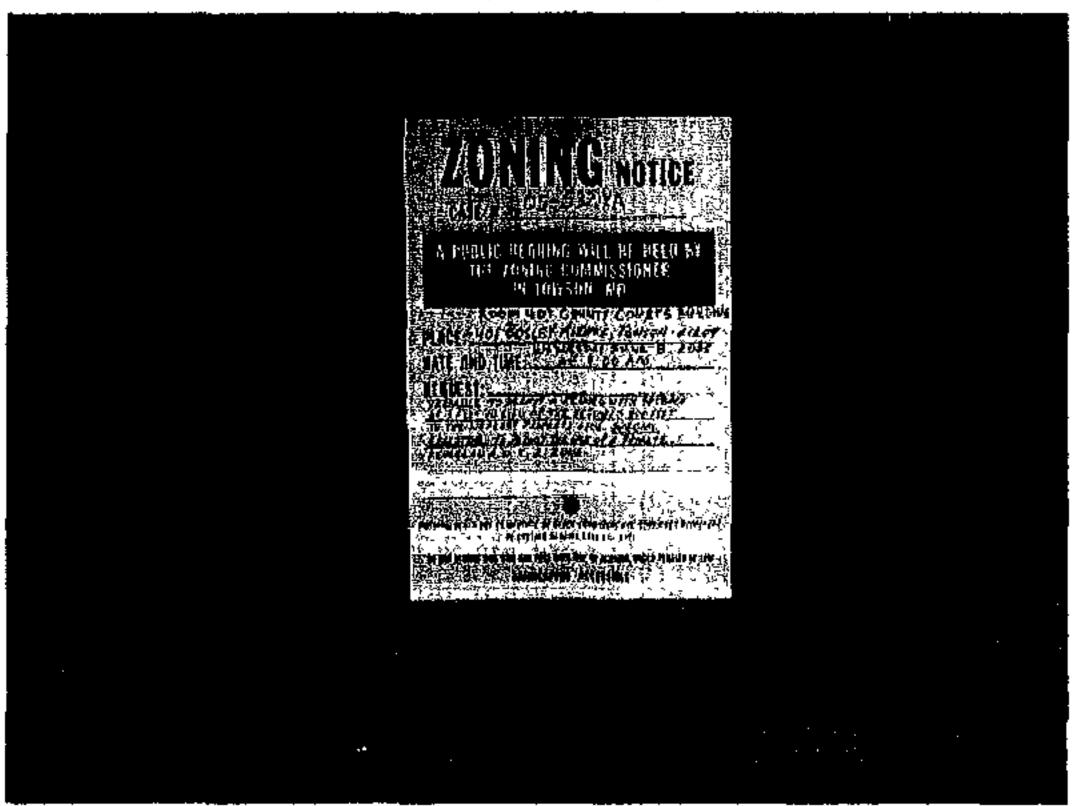
CERTIFICATE OF POSTING

RE:Case No. 05-532 - XA

Petitioner/Developer: TIMOTHY

Date of Closing/Hea	aring: 4/8/05
Baltimore County Department of Permits and Development Management County Office Building, Room 111 West Chesapeake Avenue	
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perjury that the necessarign(s) required by law were posted conspicuously on the property at	ar'y
This sign(s) were posted on May 23, 2005	
Month, Day, Year	
Sincerely,	
Sign Poster and Date Martin Ogle 5016 Castlestone Drive Baltimore Maryland 21237 (443-629-3411)	

im000312 (576x432x256 jpeg)



Martin Ogl May 23, 2005

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE
1811 Edmondson Avenue; S/side Edmondson* ZONING COMMISSIONER
Avenue, 129' c/line Rolling Road

1st Election & 1st Councilmanic Districts * FOR Legal Owner(s): Timothy R. Rhodes

Petitioner(s): Timothy R. Rhodes

* BALTIMORE COUNTY

* 05-532-XA

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to Timothy Rhodes, 1811 Edmondson Avenue, Catonsville, MD 21228, Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

Per....

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

April 29, 2005

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: 05-532-XA

1811 Edmondson Avenue

S/side of Edmondson Avenue, 129 feet at centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owner: Timothy R. Rhodes

Muthy Kotroco

Variance to permit a kennel with a setback of 1 foot in lieu of the required 200 feet to the nearest property line. Special Exception to permit the use of a private kennel in a D.R. 2 zone.

Hearing: Wednesday, June 8, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Timothy R. Rhodes, 1811 Edmondson Avenue, Catonsville 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 24, 2005.

- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 24, 2005 Issue - Jeffersonian

Please forward billing to:
Timothy R. Rhodes
1811 Edmondson Avenue
Catonsville, MD 21228

410-744-8070

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: 05-532-XA 1811 Edmondson Avenue

S/side of Edmondson Avenue, 129 feet at centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owner: Timothy R. Rhodes

Variance to permit a kennel with a setback of 1 foot in lieu of the required 200 feet to the nearest property line. Special Exception to permit the use of a private kennel in a D.R. 2 zone.

Hearing: Wednesday, June 8, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

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

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

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

Item Number or Case Number: 05-532	-×A		
Petitioner:Timo Hwy Rhodes	···		
Address or Location: 1811 Edmondson Ave	Cartonsulle	MD	21228
PLEASE FORWARD ADVERTISING BILL TO: Name:		· -	

Department of Permits and Development Management

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



Baltimore County

James T Smith, Jr, County Executive Timothy M Kotroco, Director

May 31, 2005

Timothy Rhodes 1811 Edmondson Avenue Catonsville, Maryland 21228

Dear Mr. Rhodes:

RE: Case Number: 05-532-XA, 1811 Edmondson Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 19, 2005.

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.

W. Carl Rill Q

W. Carl Richards, Jr.

Supervisor, Zoning Review

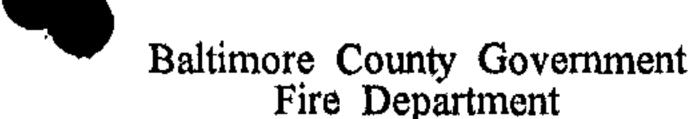
WCR: clb

Enclosures

c: People's Counsel



Visit the County's Website at www.baltimorecountyonline.info





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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 May 5, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 5, 2005

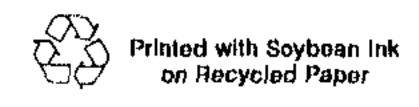
Item No.:

Pursuant to your request, the referenced plan(s) have been reviewed 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.

Lieutenant J.D.Mezick Fire Marshal's Office 410-887-4881 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 17, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 9, 2005

Item No. 529, 530, 532, 536, 541, and 553.

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

DAK:CEN:clw cc: file

ZAC-NO COMMENTS-05172005.doc



TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

May 24, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 2, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-530

05-531.

Q5-532

05-533

05-538

05-539

05-540

05-541

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BW MIR

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAY

DATE: May 6, 2005

RECEIVED

ZONING COMMISSIONER

6 2005

SUBJECT:

1811 Edmondson Avenue

INFORMATION:

Item Number:

5-532

Petitioner:

Timothy R. Rhodes

Zoning:

DR 2

Requested Action:

Variance/Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioners' request to permit a private kennel in a DR 2 zone with a 1-foot setback in lieu of the minimum 200 feet from the nearest property line and recommend that it be **DENIED**.

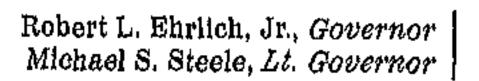
The subject property is located in a residential community, and is ½ of a semi-detached dwelling. In addition, there is an adjacent dwelling to the west as close as 10 feet from the proposed kennel. This office has determined that the nature of the requested use could interfere with reasonable enjoyment of the adjacent residential uses. Specifically, noise, odor and traffic generated by the proposed use could be detrimental to the surrounding neighborhood.

For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL:MAC:





Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109

RE:

Baltimore County
Item No. 532

4.25.05

LTM

Dear. Ms. Matthews:

Towson, Maryland 21204

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,

Steven D. Foster, Chief

Engineering Access Permits Division





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

in the Matter of

Civil Citation No.04-7557

Timothy R. Rhodes Heather C. Rhodes

1811 Edmondson Avenue

Respondents

FINDINGS OF FACT AND CONCLUSION OF LAW FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on November 16, 2004 for a hearing on a citation for violations under the Baltimore County Zoning Regulations § 102.1, 1801.1, 207, 421.1 for failure to cease operation of an illegal kennel on residential property located at 1811 Edmondson Avenue, 21228.

On September 27, 2004, pursuant to §3-6-205, Baltimore County Code, a code enforcement citation was issued by Jeff Radcliffe, Code Enforcement Officer. The citation was legally served on the Respondents.

The citation proposed a civil penalty of \$6,000.00 (six thousand dollars) to be assessed. A code enforcement hearing date was scheduled for November 16, 2004.

Timothy Rhodes, Respondent appeared for the hearing and testified. Jeff Radcliffe, Code Enforcement Officer also testified.

Testimony and evidence shows that according to Mr. Rhodes, three dogs belong to him and stay on premises at all times. Two additional dogs, belonging to his fiancé visit the premises from time to time. Planning for the future, Mr. Rhodes is in the process of requesting a petition for a private kennel to be heard before the Zoning Commissioner. Macks and Associates are presently preparing required site plans to accompany the petition. The site plan is not expected to be complete for several weeks. This Hearing Officer cannot allow five dogs to be contained on any premises. The Zoning Commissioner may allow such activities with stringent conditions or may determine that existing circumstances do not allow the housing of five dogs on this residential property. In the interim, the dogs shall not be or cause a nuisance for neighbors. Meaning, feces shall be cleaned on a daily basis.

Rhodes, Timothy R Rhodes, Heather C. #04-7557 Page 2

The Respondent shall pursue the requisite hearing before the Zoning Commissioner in an aggressive manner and not allow the process to lag or bog down in the system. The hearing before the Zoning Commissioner may not take place until after the first of the year. Therefore visitation rights for the dogs of the fiance shall be held to a minimum and care shall be taken to minimize any disturbances to neighbors. Failure to take steps to minimize disturbances or nuisances to neighbors or failure to actively pursue zoning hearing on the matter will result in civil penalties being imposed.

iT IS ORDERED by the Code Enforcement Hearing Officer, this 18th day of November 2004, that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty in the amount of \$1,000.00 (one thousand dollars) shall be suspended on condition the Respondent maintains the property free from nuisance such as build up of feces by cleaning after dogs on a daily basis and continue to actively pursue zoning petition for kennel on or before December 22, 2004.

If the Respondent fails to adhere to conditions of this order, then the civil penalty imposed shall be \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the inspector inspect the property to determine whether the violation has been corrected.

Signed:

Raymond S. Wisnom, Jr.

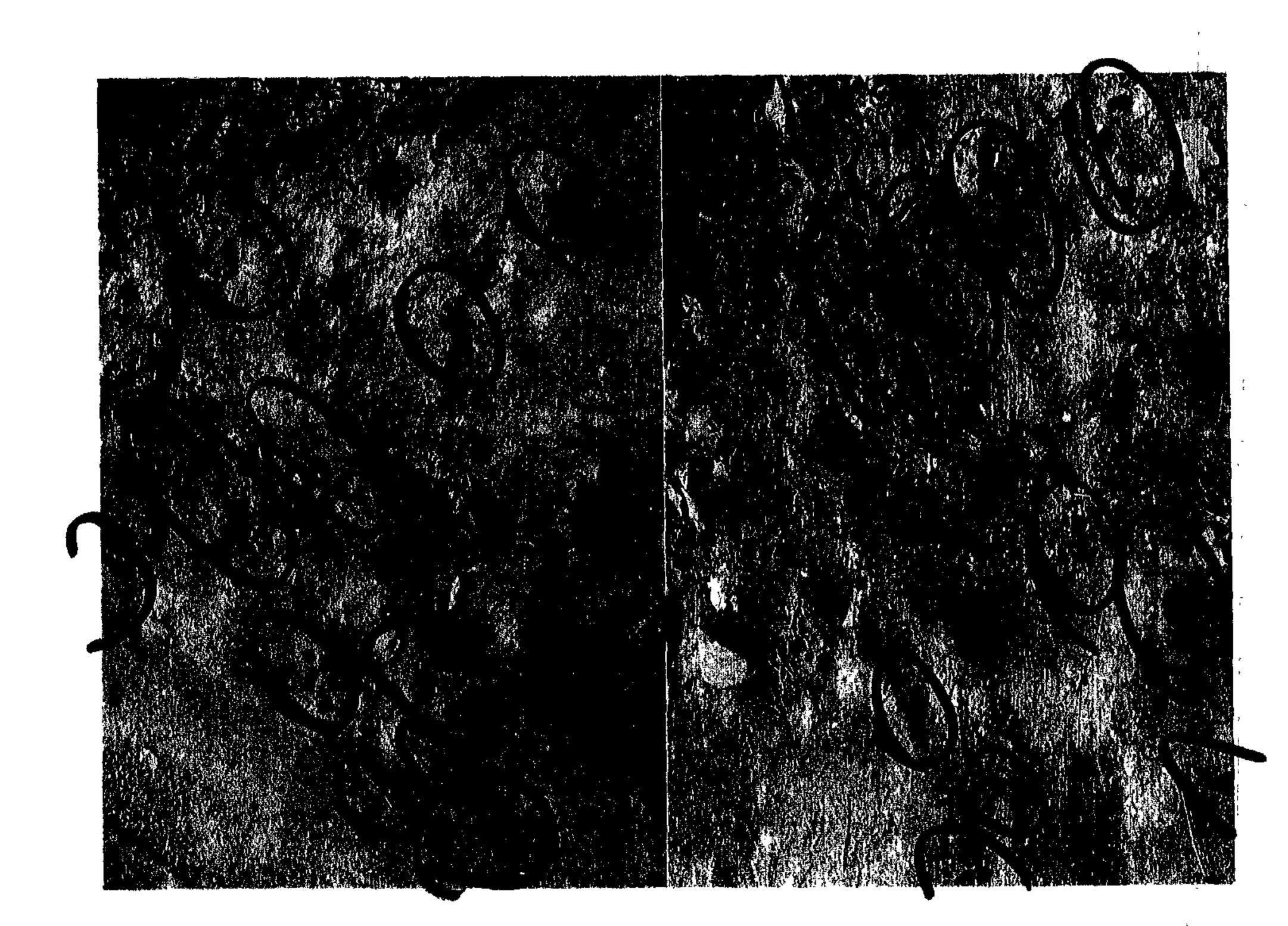
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

RSW/jaf

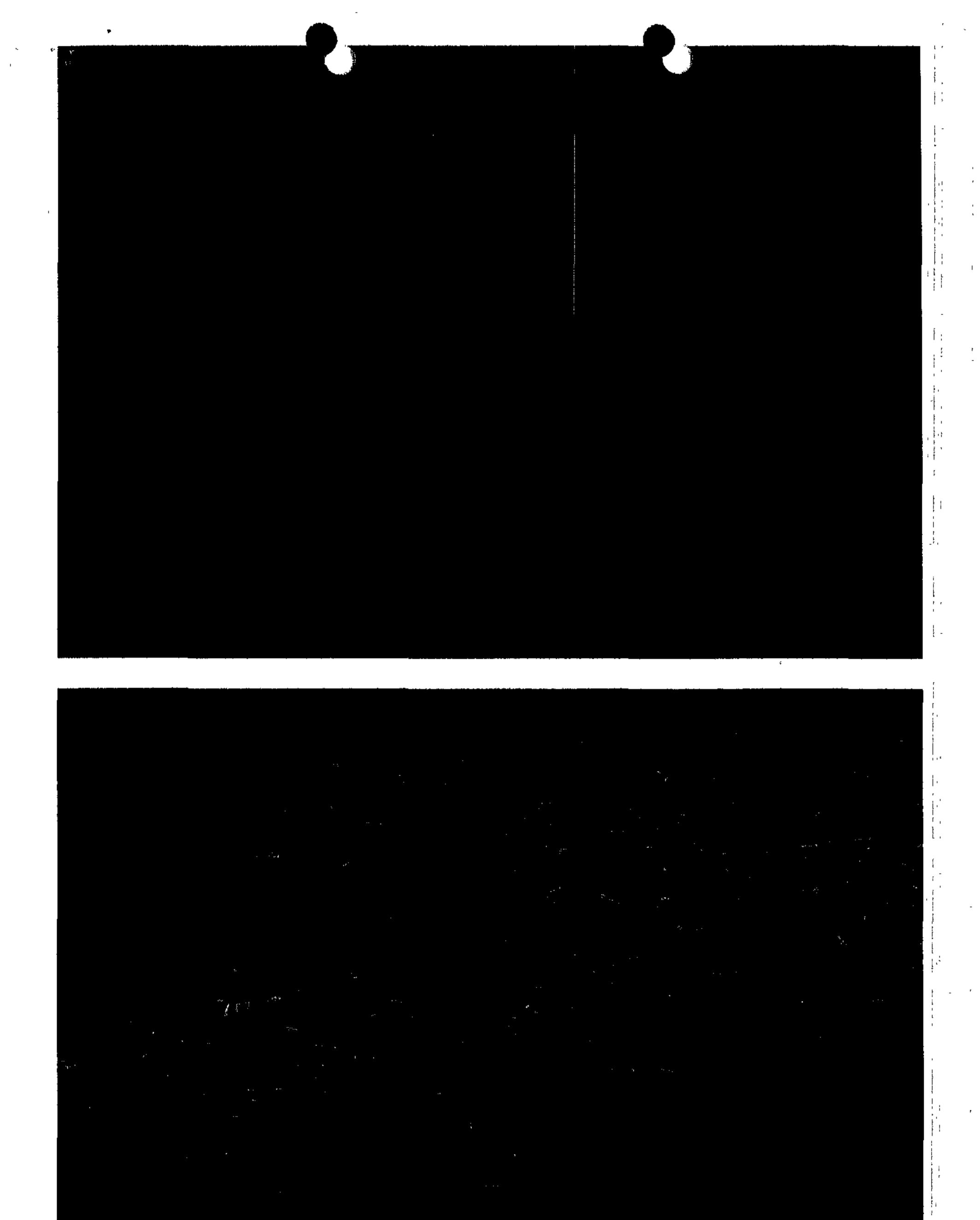
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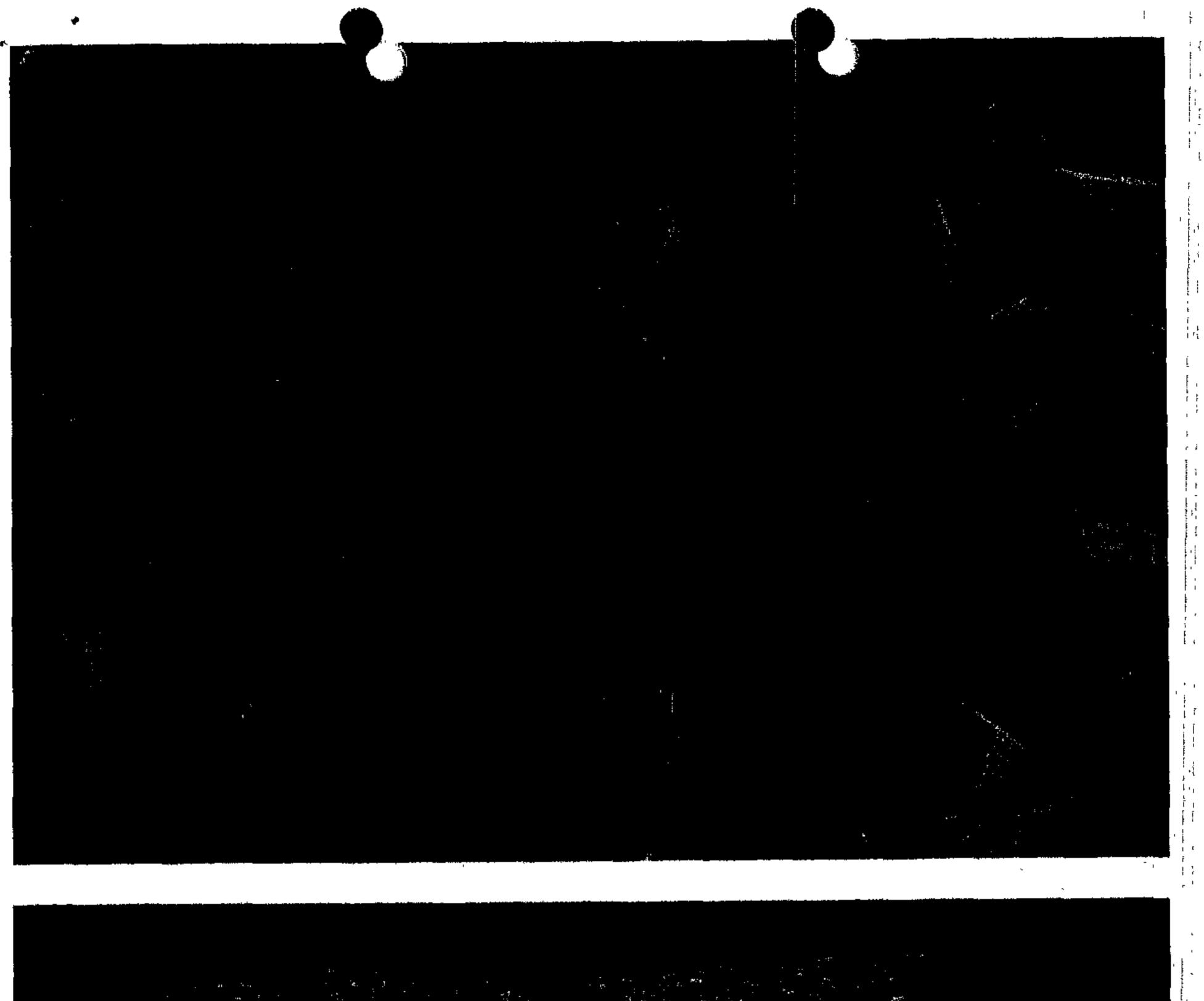
1 1 I



CS# 09-7557 6/5/05 - 7:00 AM inspection 6/5/05 only 4 piles of ARA feces.









Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

June 9, 2005

J. Neil Lanzi, Esquire 409 Washington Avenue, Suite 617 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE S/S Edmondson Avenue, 129' NW of the c/l North Avenue (1811 Edmondson Avenue)

1st Election District — 1st Council District
Timothy R. Rhodes — Petitioner
Case No. 05-532-XA

Dear Mr. Lanzi:

This letter is to confirm that the above-captioned matter was continued in open hearing at your request, due to the fact that you were just retained by the Petitioner on Monday, June 6, 2005 to represent him in this matter. By agreement of all parties present, the matter has been scheduled to reconvene on Friday, July 8, 2005 at 9:00 AM in Room 106 of the County Office Building. It is my understanding that you will arrange to have the property re-posted giving public notice of the continued hearing date, time and location, and a copy of this letter is being forwarded to all parties who attended the first hearing date of June 8, 2005.

In the meantime, should you have any questions on the subject, please do not hesitate to call me.

Very truly yours.

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

cc: Mr. Kenneth H. Masters

WJW:bjs

1809 Edmondson Avenue, Catonsville, Md. 21228 Jerry Maier & Vail Anderson, 27 N. Rolling Road, Catonsville, Md. 21228-4849 Code Enforcement Division, DPDM; People's Counsel; Case File



J. NEIL LANZI, P.A.

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

June 8, 2005

COLUMBIA

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Royson CEIVED

JUN 1 0 2005

ZONING COMMISSIONER

Martin Ogle 16 Salix Court Baltimore, Maryland 21220

Re: Case No. 05-532-XA

1811 Edmondson Avenue

My Client: Timothy Rhodes

Dear Mr. Ogle:

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

*Also Admitted in District of Columbia

This letter is in follow up to our telephone conversation today. I represent Timothy Rhodes, the owner of the property referenced above. The zoning commissioner for Baltimore County granted Mr. Rhodes request for postponement today conditioned upon the appropriate language being added to the sign currently posted on the Rhodes property. Specifically, you are instructed to indicate on the sign that the case has been postponed and rescheduled to Friday, July 8, 2005 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

At your earliest convenience would you kindly confirm that the revisions have been completed and I would request your photograph and certification be sent to the zoning commissioner for placement in the file.

Thank you for your cooperation.

Very truly yours,

J. Neil Lanzi

JNL\ma1

cc: Timothy Rhodes

William J. Wiseman, Zoning Commissioner for Baltimore County

J. NEIL LANZI, P.A.

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

June 28, 2005

KLCEIVED

JUN 2 9 2005

ZONING COMMISSIONER

COLUMBIA

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

J. Neil Lanzi

OF COUNSEL Fred L. Coover*

*Also Admitted in District of Columbia

William J. Wiseman, III, Zoning Commissioner County Courts Building 401 Bosley Avenue Suite 405 Towson, Maryland 21204

Re:

Case No. 05-532-XA 1811 Edmondson Avenue

Dear Mr. Wiseman:

Thank you for your letter of June 9 confirming the new hearing date of July 8, 2005 for the above referenced case. As requested, I now enclose a copy of the photograph showing the revised zoning notice providing for the new hearing date.

Should you require anything further, please do not hesitate to contact me.

Very truly yours,

JNL\mal

cc: Mr. Timothy Rhodes

KENNETH H. MASTERS 1809 Edmondson Avenue Catonsville, Maryland 21228

RECEIVED JUN 1 0 2005

ZONING COMMISSIONER

William J. Wiseman, Esquire Zoning Commissioner 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

Case No.: 05-532-XA

Petitioner: Timothy Rhodes

Dear Mr. Wiseman:

I am writing to follow up on our brief telephone conversation yesterday when you called me to advise me that you, rather than Deputy Zoning Commissioner Murphy, would be hearing the above referenced Petition and that Petitioner's newly retained counsel had requested and you were granting a postponement from the scheduled date of June 8, 2005 at 9:00am. You said you wanted the matter to proceed without undue delay. You suggested two possible dates for a rescheduled hearing – July 8 at 9:00am or July 13 at 2:00pm. I told you I would consult as many of the other folks interested in this case as possible to see which of those dates represented the least inconvenience to them and promptly get back to you.

I did speak by telephone with Robin Jameson of your office this morning at about 9:15am to ask her to advise you that July 8 at 9:00am was my preference. This letter is simply confirmation of that call.

Very truly yours,

/d. Mosle

Kenneth H. Masters

Cc: John Neil Lanzi, Esquire

From:

Chris Blackmon

To:

Bette Schuhmann

Date:

6/8/2005 10:53:55 AM

Subject:

Case No. 05-532-X

Bette,

When you do the notice for 1811 Edmondson Avenue, please send a copy to :

Jerry Maier Vail Anderson 27 N. Rolling Road Baltimore MD 21228-4849

They are neighbors who had two hearings scheduled at the same time--so they missed the hearing this morning in Room 407. They would like to be notified of the new hearing information so that they can attend in July.

Thank you!

--Chris

june 8 gami



02/05 08:47pm P. 001

LOCALIA MOROTE

COUNTY COUNCIL OF BALTIMORE COUNTY COURT HOUSE, TOWSON, MARYLAND 21204

COUNCILMAN, FIRST DISTRICT

DISTRICT OFFICE:
754 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228
410-887-0896
FAX: 410-887-1012
COUNCIL OFFICE: 410-887-3196

June 2, 2005

Timothy M. Kotroco, Director Office of Permits & Development Management 111 Chesapeake Avenue Towson, Maryland 21204

Dear Mr. Kotroco: Win

<u>Re</u>:

Notice of Zoning Hearing Case No. 05-532-XA

1811 Edmondson Avenue, Catonsville 21228

As you may know from this case, the owners of the property are requesting a kennel license as they are involved in greyhound rescue. It is my understanding from talking to the owners and members of the community that they intend to have five greyhounds at this duplex property. Last summer, Code Enforcement was involved in numerous violations for the property.

The community has contacted us on this. Code Enforcement has been active on this case and because of the problem, the community is asking that the inspector attend the hearing and provide testinony as requested by the community.

Sincerely,

Jan 16-71 ham

S. G. Samuel Moxley Councilman, First District

SGM:js

Mark July ter.

My marker

KENNETH H. MASTERS 1809 Edmondson Avenue Catonsville, Maryland 21228

May 31, 2005

Timothy Kotroco, Director Department of Permits and Development Management County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes
And
Re: Civil Citation No. 04-7557

1811 Edmondson Avenue
In the Matter of

Timothy R. Rhodes Heather C. Rhodes

Dear Mr. Kotroco:

My wife, Patsy, and I have lived at 1809 Edmondson Avenue continuously since 1975 to the present. During that period of time we have had a pleasant succession of neighbors in 1811 Edmondson Avenue with whom we share a party wall.

When we first bought our house, 1811 was owned and occupied by a retired Baltimore County public school teacher, Lucille Geiser, who lived there with her elderly mother. Patsy had taught school with Mrs. Geiser and her son, John, was a boyhood friend of Patsy's younger brother. Mrs. Geiser and her mother were wonderful neighbors.

When several years later Mrs. Geiser moved to a single floor ranch house in the neighborhood, she sold 1811 to Diana Urbanas. Diana was a young, single woman who from time to time had a roommate. She was gregarious and very pleasant. If she were planning a party she would thoughtfully mention it in advance and ask us to let her know if we were ever disturbed by the festivities. We were most appreciative because our two daughters were then still fairly young and went to bed early in the evening.

Diana had a tall, latticed fence built roughly along our property line from the rear of our houses to the detached duplex garages. Diana consulted with us before going

forward with the project to which we readily gave our approval. She also had a plank fence built around the rear and about half way along her western property line. The result, with an added gate, was that her rear yard was enclosed with a high fence

Diana moved to the Washington D.C. to be closer to her work and leased 1811 to a Polish couple who had a teenaged son. They were also good neighbors. Their command of the English language was such that conversation was difficult and rudimentary (and our command of Polish was nil). The tenants moved and Diana sold 1811 to Kirk Smothers, a young teacher at a Quaker school in the Washington area. Kirk had a roommate from time to time and also during his residence at 1811 Kirk acquired a medium sized dog named Sophie. Kirk was a responsible dog owner and immediately picked up Sophie's feces.

I should note at this juncture that through all of this period of time from 1975 until after Kirk got married and moved to New York, the backyard of 1811 Edmondson Avenue had a lush, grassy lawn.

While I am less than certain of the dates, I believe it was sometime in 2003 that Kirk went off to New York to get married. Patsy and I were very sorry to lose Kirk and Sophie as neighbors. 1811 Edmondson Avenue was then occupied by a young, newly married couple, Tim and Heather Rhodes. The records of the State Department of Assessments and Taxation (SDAT) show a transfer of title from Kirk Smothers to Timothy and Heather Rhodes in September 2004, but their occupancy of the property preceded the transfer of title by a considerable period of time.

Not long after Mr. And Mrs. Rhodes had moved in, they "rescued" an adult greyhound. Soon they "rescued" another greyhound. Two then became three. The dogs were fundamentally confined to the house and only turned out in the fenced, rear yard to relieve themselves before being taken back into the house. While Heather was there the feces seemed to be routinely cleaned up behind the dogs. There was even grass on the rear yard.

Then, in 2003 or in early 2004 Heather left. The three greyhounds stayed. Tim developed a romantic attachment to a young lady who had two adult greyhounds of her own. Before long Patsy and I had five large dogs as neighbors. The herd was turned out twice a day and the resulting waste lay for days unattended. By the summer of 2004 the odor and flies severely limited our use and enjoyment of our own yard. We each made requests of Tim to promptly clean up after the dogs. He unfailingly assured us, and other neighbors who complained, that, of course, he would do so. He didn't. The remainder of the lawn went. Heavy rain washed across Tim's yard (which slopes to ours) bringing with it the accumulated treasures some of which got carried on to the neighbors to our east.

The last straw came for us with the appearance of the rats. Almost from the beginning of our occupancy of 1809 Edmondson Avenue, Patsy and I have derived great enjoyment from feeding and watching birds in our yard. Never, until the summer of 2004, have we seen any evidence of the presence of rats. That summer we saw the rats

themselves. We called an exterminator and we called the County. I took down my birdfeeders. I did not put up the feeders again until this spring, but having again seen rats I took down the two that can supply food for rats.

The county inspector, Jeff Radcliffe, cited Mr. And Mrs. Rhodes (she by then being *in absentia*). A hearing was held and a penalty was, according to the Report and Order we received, assessed, but held in abeyance. Meanwhile, we have 5 dogs living next door. When the humans leave the canine chorus starts to howl. Fortunately, the howling is not usually too prolonged, but can start up again without apparent provocation.

Within about the last two weeks, Mr. Rhodes spread wood chips over the otherwise bare earth of his rear yard.

To conclude, it seems utterly unthinkable to reward irresponsible behavior by granting a special exception. Irrespective of the irresponsible behavior, it is nothing short of preposterous to contemplate a kennel license for a property that is about 25 feet wide and maybe 40 feet deep. This becomes even more readily apparent when such relief in this instance necessitates a variance of 199 feet!

Patsy and I respectfully request that the relief requested by the Petitioner(s) be denied and, in the alternative, that the Final Order of the Code Enforcement Hearing Officer be enforced, along with such other provisions of the County Code as are applicable.

Very truly yours,

Kenneth H. Masters

Pats√ Masters

Cc: The Honorable Stephen G. Samuel Moxley

Postponement Dates

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July 13

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PLEASE PRINT CLEARLY

CASE NUMBER 05-532 XA

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ADDRESS	1811 Edmondson he batestille											
NAME		Dell Hagan	>									

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 05-532 XA
DATE 14, 8 2005

CITIZEN'S SIGN-IN SHEET

E- MAIL	kmasteus @ gov. state.md. 46	Sliz 340 Tono. Com	MJWEAVER @ ERULS, COM		Carlahouse21228 344400, Com							
CITY, STATE, ZIP	Catensuille, MD 21228 Catensuille, Ma 21228	Md. 2122	Catousville MD 21228	Catowalle Med 21228	Cotonsville, MD 21228	atener 10 MO21228						
ADDRESS	1809 Edmondson Brenue 1809 Edmondson Avenue	1 Halling Road	AL	1851 Edmondson Ave 27 N. Rolling RD Ave	1805 Edmondson Ave	Edmondaon						
NAME	Kenneth H. Masters Othinis P. Masters	94	MACK WRAVER	Vail And Man	(a/b) 185ay	Yyly A UEGA						

CASE NUMBER OS-532 XA DATE

COUNTY REPRESENTATIVE'S

E- MAIL											
CITY, STATE, ZIP	, v. h										
ADDRESS	11) W.Chesnperte Hr.										
NAME	JEST LADCLIFFE								*		

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 05-53-XA
DATE 6/8/05

PETITIONER'S SIGN-IN SHEET

timethocles (0 hotman) com 500 CS. E- MAIL Lanzilan e 82217 2008 CITY, STATE, ZIP MA 500 10 WSG 4 872HE 4617 409 Washingdon aw 1811 Edmondson Are ADDRESS Cand. Rhocles NAME 1 mother

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER OS - 532 - XA
DATE
6/8/05

SIGN-IN SHEE COUNTY REPRESENTATIVE'S

E- MAIL	24-7557- Apy Spy	Tioner C							
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ADDRESS	Zowing Entoresment								
NAME	MARK GAWEL								

Case No.:	0	5-	5	3	2	X	Δ
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Exhibit Sheet

Petitioner/Developer

Protestant

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No. 9	Neighbors of MS HAGANS CURRENT LOCATION	
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	OBJECTION	

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1"= 2001 D.R.5.5 OLONIAL ARDENS LING D.R. 2 P.OL **DR. 2**

Information about Greyhounds as Pets:

- Often greyhounds are called 45 mph couch potatoes due to their penchant for sleeping. It's not an exaggeration to say they sleep, on average, 18 hours a day. They are sprinters and, therefore, sleep to store up energy for short bursts of activity. Given their advanced ages (four out of our five dogs are in the senior age range), they sleep closer to 20 hours a day. All a grey wants is to be near their owner as much as possible.
- Contrary to popular belief, rescued greyhounds need little room to exist and are pack animals from their days at the tracks. In fact, they make perfect pets for folks who live in apartments and small houses (although, as you all are well aware, these are not small homes inside and certainly there are adequately-sized rooms). Because they sleep so much, and because they tire so quickly, they take up scant room inside of a home. Furthermore, due to their time at the tracks, most greys PREFER the company of a pack and are comfortable living in a home with a multitude of other dogs.
- Greyhounds have been coined the "felines of the canine world" by more than one author due to their fastidiously clean nature. Like poodles and a few other breeds of dogs, they have hair instead of fur and shed rarely; they "blow" their coats twice a year. Furthermore, they hate messes and keep their areas clean.
- If you are looking for a security system of a dog, DO NOT get a greyhound @ They rarely bark. In fact many owners will tell you that their greys do not bark at all. It's not unusual to be among 10+ greys without hearing a peep. The American Kennel Club's standard for greyhounds even states that greyhounds are not barkers and will only bark when they need something immediately.
- Greyhounds are big, gentle, loving goofballs © We invite you to come and meet them. NO ONE takes retirement as seriously as a greyhound off the track. They are so grateful to be in a home and no longer working for a living that they are devoted to their owners and are gigantic lovebugs. Our dogs have NEVER hurt anyone nor are our neighbors at any risk.

Information About Us As Owners:

- Our dogs are neutered/spayed and properly vetted
- We are NOT building a kennel structure outside at all, nor will we ever
- Our dogs never have, nor will they ever be, left outside unattended. We stand at the back door or go outside with them. Also, we maintain our yard by picking up after our dogs on a daily basis.
- We will NEVER own more than five dogs. The reason we have five now is that we are merging families. We will not replace dogs as they begin to leave us for natural reasons; in fact, within a couple of years we will be back to the county limit of three because we have older dogs.
- Our dogs will never be loose from our care in the front area of the neighborhood
- We do not let our dogs use the bathroom in other people's yards
- If our dogs DO bark it is stopped immediately. Again, barking is unusual behavior for a greyhound. Usually the reason it happens is when our old boy, Harry, is initiating play or someone has come to the door startling our easily scared dog, Solomon©

PLEASE know that our dogs mean the world to us and therefore, by extension, this kennel license means everything to the beginning of our future together. We so appreciate you giving us the time to talk to you about this.

For more information about Rescued Greyhounds please feel free to visit the following sources:

<u>www.greyhoundgang.org</u>

<u>www.greyhoundgang.org</u>

http://www.greyhoundpets.org/

www.greyhounds.org

WWW PETITIONER'S

DUNLOGGIN YETERINARY HOSPITAL 9105 FREDERICK ROAD ELLICOTT CITY, MARYLAND 21042

TELEPHONE (410) 465-6218

June 6, 2005

To Whom It May Concern:

I have been the primary veterinarian for the Rhodes Familys' animals for approximately three years. All of the animals have been seen for annual well exams and have been kept current on all necessary vaccinations. The animals have been tested regularly for heartworm disease and any other recommended blood tests have been pursued in a timely fashion. In all respects the Rhodes have been concerned and committed pet owners.

Sincerely,

Rikki Kane, DVM

PETITIONER'S

EXHIBIT NO.

4

Petition for Private Kennel

1811 Edmondson Ave.

By signing this petition I am aware of the request by the owner of 1811 Edmondson Ave. and am in support of Baltimore County granting a special exception and variance relief for the property. This special exception request is to permit the use of a kennel in a D.R.2 zone, and for variance relief from Section 421.1 of the Baltimore County Zoning Regulations to permit a kennel with a setback less than the required 200 ft. to the nearest property line.

Private Kennel – Any building, structure, or land, or any portion thereof, including a dwelling, that is used, intended to be used, or arranged for the housing of more than three dogs, not including puppies less than four months old, for the purpose of show, hunting, practice tracking, field or obedience trials, or as pets. A private kennel does not include a pet shop or a dogs accessory to a farm use. (Bill No. 87-2001)

	Callie CE Address.	11//	7/04
Name	alle & Address.	Date and	Comments
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			7.4 7.

PETITIONER'S

EXHIBIT NO. 5

Greyhound Pets of America Richmond Chapter PO Box 70811 Richmond, VA 23255 804-527-3584

June 24, 2005

To Whom It May Concern:

I have known Tim Rhodes since 2001 when he applied to adopt his first Greyhound. Instead of one hound, he adopted two. As one of the founders of the group in which he adopted, I had many occasions to be at his home and observing the hounds in his care. I have even stopped off at his house when I was transporting hounds back to Richmond from tracks up north, to let the rescued dogs have a little break. His backyard, though small is ample space for 5 Greyhounds. I remember stopping there once and having 5 new hounds with me plus we introduced them to Tim's hounds as well. There was plenty of space for everyone.

Greyhounds do not require a large amount of space and we have placed many hounds in homes that do not have a fenced yard at all. The owners are wonderful and leash walk their hounds several times daily. Retired Racing Greyhounds are more content laying on a soft bed as to running around in a back yard. Also, Greyhounds are totally indoor animals and are outside only for potty breaks or walks. Personally, I would much rather have 5 greyhounds to care for than 2 smaller breed dogs.

Tim and Dell are wonderful, caring and knowledgeable Greyhound Owners. I would leave any of my hounds in their care at any time and not be concerned. And I also believe as conscientious Greyhound owners, they are responsible enough to know how to care for 5 hounds and still have a small backyard without disturbing the neighborhood.

I hope that this letter will help clear up any confusion and would highly recommend anyone with questions regarding Greyhounds and their required care, read the book, "Adopting the Racing Greyhound" by Cynthia Branigan. If you have any further questions, please feel free to contact me personally.

Sincerely,

Gil Caldwell, President

GPA/Richmond

PETITIONER'S

EXHIBIT NO.

6

June 29, 2005

Cathryn Caldwell Holdgraf 106 Civil Drive League City, TX 77573

To Whom It May Concern:

I have owned retired racing greyhounds for nine years and have been a member of Greyhound Pets of America, Houston Chapter since 1999. I currently serve on the Board of Directors and on the Home Visit Committee. I have served on the Adoption Committee and as office support and as such have experience placing greyhounds in home both as fosters and as permanent placements. I am knowledgeable in the breed characteristics and the requirements for a good home for these dogs.

We place greyhounds with families that live in apartments, in town homes, in mobile homes as well as in single family dwellings. Pet greyhounds are placed strictly as indoor pets and they require very little in the way of outdoor exercise. They are a large breed dog that lives quite comfortably inside, with minimum barking as long as they have the company of their families and a lot of nap time.

Please refer to the following reference books for more information on living with greyhounds:

Adopting the Racing Greyhound by Cynthia A. Branigan

Retired Racing Greyhounds for Dummies by Lee Livingood

Greyhounds: Everything About Purchase, Care, Nutrition, Behavior, and Training (Complete Pet Owner's Manual) by D. Caroline Coile

I have known Dell Hagan for five years. I helped her find her lease house when she moved to Texas with her greyhounds and was a frequent guest in her home the year she lived here. I have first hand knowledge of how Dell cares for her dogs emotionally, financially and physically. Dell is thoughtful about the dogs needs and gives careful consideration to their environment. Her home was clean and pleasant; the yard was well maintained and tidy. Dell's landlady here gave her a fine reference when she left Texas and moved to her first apartment in Maryland. In the few years Dell has been away from Texas I have had occasion to speak with this local landlady and she remembers Dell fondly.

While in Texas, Dell was an active volunteer for GPA-Houston, fostering our greyhounds that were awaiting placement, as well as helping to write the manual we provide to our foster families. Dell has a lot of valuable experience and knows what living with retired racing greyhound's means to the hound, to the particular family and to the community. She went on Home Visits to help determine if potential adoptive families were suitable to adopt one of our charges. Dell Hagan has made a tremendous difference to the lives of the greyhounds she has helped and the families that have adopted them. GPA-Houston was fortunate she shared her intelligence, dedication and hard work with us. Such selfless volunteers are worth their weight in gold and are too far and few between.

I have also spent time with Dell and her greyhounds in her apartment in Baltimore. Again the living environment was clean and healthy for both humans and dogs. I would trust Dell to care for my pets or my home at any time without hesitation. I miss having Dell as a neighbor and firmly believe anyone with any common sense will see her as the honest, hard-working, intelligent young woman that she is and should be grateful to have her living nearby.

If you should have any questions I would be more than happy to respond. Please feel free to contact me at the above address or by email at ccoam@houston.rr.com.

Caldwell Holdgrafe.

Thank you.

PETITIONER'S

EXHIBIT NO. 7

CHERYL L GILSON

Millianos Connecientes (A.: 150) cheryligan jaronacom

7/5/2005

Emeril Bluffes I on A (frequent visitor)

Dear Sir or madam,

I'm writing in regards to Dell Hagan and Tim Rhodes and their greyhounds. I would like to tell you a little about myself and my experience with greyhounds. I have been a trainer for a racing greyhound kennel for the past 13 years. I have had retired greyhounds at home for almost as long. I also have some experience on a greyhound farm.

Greyhounds are raised in a manner far different than any other breed of dog. They are raised with their littermates until the age of twelve (12) months. They spend this first year playing, running and developing the muscles they will need for racing. At the age of one (1) year or a little older, the pups are sent to training farms where again they are part of a large group of dogs. Once training is finished they arrive at a racing kennel and are once again part of a large group of greyhounds. One unique feature of the retired racing greyhound is the fact that until they retire and are adopted, they have never been an only dog. They have always been part of a pack. Many greyhounds do well being alone after the initial adjustment, but there are many who do not. Being part of a group is what is familiar to them and what is most comfortable.

One misconception about greyhounds is that they require a great deal of room to run around. This is absolutely untrue. Once they reach adulthood, many greyhounds do not expend a lot of energy running around and playing like many other breeds do. When they are pups, they do have enormous amounts of energy and do require a great deal of space, not only to burn off energy but to develop as racers. You would not have the same requirement for one raised in a home from birth. During the time that greyhounds are in a racing kennel, they are turned out four (4) or five (5) times a day to relieve themselves and exercise a bit. Most will go out and lay down and take a nap in the sun. They race usually every five (5) to seven (7) days and may be sprinted or walked in between race days. The fenced yard that Dell and Tim have is completely adequate for the number of greyhounds that they own 1 know their dogs are also walked on a regular basis and other ways of exercise are also provided to them.

Age must be taken into consideration in this case also. Their three oldest greyhounds are considered senior citizens in the breed. The lifespan for a breed this large is usually ten (10) to twelve (12) years, although many do exceed the upper limits. A very few will make it past thirteen (13). Care must be taken not to over exercise dogs in their senior year as this can cause as many problems as allowing them no exercise. I've known Dell for several years now and she has always taken superb care of her greyhounds, known fit, healthy and happy. The wood mulch, lime and cedar mix that Dell and Tim use in their yard is very effective at keeping any smell down and it won't attract pests of the insect or rodent nature. This combined along with the fact that any feces are picked up every day would nearly eliminate any problems that go along with that.

Many adoption groups require a fenced yard for prospective greyhound adopters, many don't. They are aware that greyhounds do not need a lot of room to run in retirement. There are groups who won't adopt greyhounds to people with small children, others will. Some groups require that a greyhound must never be crated. This one is silly as that is what they are used to, it is their safe space in a time of great stress and transition in the move from racing to retirement. Some groups require a crate for at least the first couple of weeks or months. It's all in an effort to do best by the greyhound. What is best is for

PETITIONER'S

them to be in a happy home where they can lay around and sleep for 23 hours a day, which is their favorite activity. A soft bed, good food and a little exercise is all they require to be happy along with the attention they receive from their owners.

I do hope that you will not allow the misconceptions I talked about earlier to sway you against the best interest of these five greyhounds: Harry- 10 1/2 yrs old, Solomon- 9 yrs old, Hagrid- 8 yrs old, Tinky- 6 yrs old and Troy-the youngster, at 5 yrs old. They are a well mixed and happy group, very well cared for by Dell and Tim. Thank you for your time and consideration.

Sincerely,

Cheryl L. Gilson

June 28, 2005

Dear Neighbors at 7 N. Chester,

By signing below you agree that while I have lived here my greyhounds (Solomon and Harry) were not a nuisance. They did not interfere with your quality of life, nor hinder your lifestyle in any way. Furthermore, you agree that I am a responsible pet owner who looked after my pets with diligent care, making it easy to live with my pets in the Gunther Mansion.

Thank you.

Dell Hagan

Decheod Unit E	-
Danne v. Merhand Unit E	
Million Unit D	1
Stephanie Myers, President Gunther Monsie	Unite
786 Woje ie Len. Unit A	
JASON MIERS Unit B	
Both Myers Unit B	

PETITIONER'S

EXHIBIT NO.

9

IN RE: PETITION FOR SPECIAL EXCEPTION

AND VARIANCE

N/S of Rockhaven Avenue, 160 ft. +/-

E of St. Johnsbury Road extended

1st Election District

1st Councilmanic District

(1708 Rockhaven Road)

Mary E. & Mark P. Green Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

QASE NO. 04-497-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception and Variance filed by the legal owners of the subject property, Mary E. and Mark P. Green. The Petitioners are requesting special exception and variance relief for property located at 1708 Rockhaven Road in the western area of Baltimore County. The special exception request is to permit the use of a kennel in a D.R.2 zone. In addition, variance relief is requested from Section 421.1 of the B.C.Z.R. to permit a kennel with a setback of 20 ft. in lieu of the required 200 ft. of the nearest property line.

The property was posted with Notice of Hearing on June 7, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 8, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements

PETITIONER'S

- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

COMMERCIAL KENNEL -- Any establishment where the commercial breeding of dogs or the boarding, sale, or training of dogs takes place and for which a fee is charged. A commercial kennel does not include a private kennel, pet shop, veterinarian's office, or veterinarium. [Bill Nos. 87-2001; 72-2002]

PRIVATE KENNEL -- Any building, structure, or land, or any portion thereof, including a dwelling, that is used, intended to be used, or arranged for the housing of more than three dogs, not including puppies less than four months old, for the purposes of show, hunting, practice tracking, field or obedience trials, or as pets. A private kennel does not include a pet shop or dogs accessory to a farm use. [Bill No. 87-2001]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated May 24, 2004, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance and special exception requests were Mary and Mark P. Green, the Petitioners. Appearing in opposition to these requests were Maureen Eckert, Victor Vega, Gemma and Donald Corns. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 40,673 sq. ft. and is zoned D.R.2. The Petitioners have three specially bred dogs in their home and would like to add a fourth dog that they recently rescued. However, they now would qualify as a private kennel. See definition above. Consequently, the request for a special exception. They emphasize that they have no intention of building or operating a commercial kennel. They simply want to have a fourth dog that would live in their home with the Petitioners. This would also require them to have a "fancier's" license.

The request for variance arises because Section 421.1 of the B.C.Z.R. requires that any kennel is to be located at least 200 ft. from any property line. The dogs would live in the Petitioner's home that is located 20 ft. from the property line. See Petitioners' Exhibit No. 1.

The Petitioners note that their three dogs are well behaved, that the neighbors have many animals on their respective properties and their lot is nearly one acre in size so that another dog should not be a problem. They will not be building any building to accommodate the new dog. While they would not breed the dogs commercially, they would like to be able to breed one dog every five years and to sell the puppies. They anticipate no one coming to their home to see the puppies but would sell or place them over the Internet.

Opposition to the request came from nearby property owners who complained about the noise generated by the three dogs, lower property values and worries that the Petitioners would one day make the kennel into a commercial business. In regard to conditions on the special exception, the protestants wanted to be sure first that the kennel was limited in size having no

more that five dogs at any one time. The Petitioners agreed. Next they wanted to be sure that the kennel would not become a commercial kennel but was limited to a private kennel status. They also wanted a restriction that there would be no breeding or sales to outsiders. Initially, the Petitioners indicated that they would breed the dogs every two and one half years. However, they eventually agreed to limit breeding to once every five years.

Findings of Fact and Conclusions of Law

Special Exception

The first item to resolve is whether any special exception can be granted for a kennel in a DR 2 zone. There is no mention of kennel in the list of special exceptions given in Section 1B01.C of the regulations. However, by tradition, Section 270, Schedule of Special Exceptions lists kennel as allowed by Special Exception in R-20 zones. Section 100.3A then notes that R-20 has been replaced by DR 2 the zoning on the subject property. Consequently, I find that kennels are allowed by Special Exception in DR 2 zones, which is also the position of the Zoning Review Office of the Department of Permits and Development Management.

From the testimony and evidence, it appears to me that the Petitioners are sincere in their desire to have a "kennel" only to the extent necessary to allow them to have four dogs and a "fancier's "license. They want the possibility of a fifth dog and some breeding. They are not building a structure to house the dogs, but rather will share their home with the dogs. In my view, having the dog's share the home means the Petitioners have no intention of turning the special exception for a private kennel into a commercial business. I find that they are caught up in the requirements triggered by the fourth dog, but otherwise would not be asking for such a special exception.

Being severely limited in scope and service by living with the dogs, I will grant the special exception for a private not commercial kennel with conditions. I will limit the number of dogs to a maximum of five. Next, I will allow breeding only once in five years. There will be no new

building to house the dogs, but rather the dogs will live inside the Petitioners' home. Finally, I will limit the time the dogs will be outside the home to daylight hours which otherwise could lead to barking dogs annoying the neighborhood.

With these restrictions, I find that the special exception of a private kennel on this property, will not adversely affect the health, safety or welfare of the community, specifically considering each of the criteria in Section 502.1 of the B.C.Z.R. I find that the private kennel will have insignificant traffic generated by it, as the dogs will be bred every five years.

Variances

Having granted the special exception, I will also grant the variance which requests relief from the 200 ft. separation requirement of Section 421.1 of the B.C.Z.R. The house in which the dogs will live already exists and is only 20 ft. from the property line. There is nothing the Petitioners can do to meet the regulations, certainly not move the house.

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request, and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Furthermore, this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request and request for special exception should be granted.

THEREFORE, IT IS ORDERED, this 28th day of June, 2004, by the Deputy Zoning Commissioner, that the Petition for Special Exception request, to permit the use of a kennel in a D.R.2 zone pursuant to the B.C.Z.R., be and is hereby GRANTED with the following conditions:

1. The special exception granted is only for a private not commercial kennel;

- 2. The number of dogs is limited to a maximum of five.
- 3. Breeding shall occur only once in five years.
- 4. There will be no new building to house the dogs, but rather the dogs will live inside the Petitioners' home.
- 5. The dogs will be outside the home during daylight hours only and that the Petitioners shall control the dogs' barking so as not to become a nuisance to the neighborhood.

IT IS FURTHER ORDERED, that the Variance relief requested from Section 421.1 of the B.C.Z.R. to permit a kennel with a setback of 20 ft. in lieu of the required 200 ft. of the nearest property line, be and is hereby GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

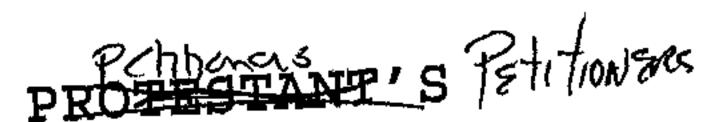
Brooklyn Heights Association

BACK

Rat Facts

Home Life/Habits:

- Nest within 150 feet of a food source; live in colonies of 60 or more.
- Nests are lined with shredded paper, cloth, or other fibrous material.
- Are nocturnal; if they are seen roaming in daylight, the population is very large.
- When they burrow in the ground, it is often beneath a concrete slab, such as sidewalk, beneath rubbish or woodpiles or in low, spreading ground cover, like pachysandra.
- Displace mice, except when food and hiding places are abundant.
- Expand their territory from block to block over months or years.
- Have poor eyesight, but make up for it with keen senses of hearing, smell, taste, touch
- Can squeeze under doors and through a space a half inch wide; can gnaw through steel, wool, brick, and heavy plastic trash cans. will climb to find food or shelter
- Are suspicious of new things in their environment.
- Basic needs are food, drink, harborage/nesting material.
- · Consume/contaminate foodstuffs and animal feed.
- Cause fires by gnawing on electrical wires. Cause damage to wooden structures (doors, ledges, in corners, and in wall material) and tearing up insulation in walls and ceilings for nesting. Undermine building foundations and slabs with their burrowing activities. Damage garden crops and ornamental plantings. Can transmit diseases to humans and other animals.
- · Cats can catch rats that are young or feeble, but are unable to



keep rodent numbers below levels that are acceptable to most people. A healthy male rat with sharp razor teeth is formidable and can repel a cat.

Food and Drink:

- · Feed mostly between dusk and dawn;
- Eat an ounce of food and drink an ounce of water, every 24 hours.
- Attracted to the smell of food and garbage; love spillage from birdfeeders.
- Can survive on almost any food source, including Fruit from ornamental trees and dog feces.

Reproduction:

- Reproduce at a rate of 7 to 10 litters per year.
- Gestation is 3 weeks; 8 to 12 pups per litter.
- · Become sexually mature in 8 to 12 weeks.
- A dominant male rat may mate with 20 females a day.
- · Lifespan on the street is less than one year
- When food, water, and shelter are available, rat populations grow quickly.

Size:

- Mature Norway rat weighs about 1 pound.
- No Norway rat is "as big as a cat," but when defensive, can raise hackles and appear twice their normal size.

Signs of Infestation:

- People do not often see rats, but signs of their presence are easy to detect.
- Look for droppings, burrows, signs of gnawing, tracks in mud or dust, runways, greasemarks along walls and fences, ripped trash bags, noise at dusk.

Rat Prevention and Population Control:

• The time to act is before the signs of an infestation appear. Good

sanitation and rat-proofing can go a long way in prevention.

- Once you see evidence of rats, act quickly to control them before their numbers get too high.
- Think geographically, working in a radius from where rats have been sighted.
- Best approach is Integrated Pest Management, using poisons as only one of many tools, including elimination of food and water sources, good sanitation, proper storage of trash, rat-proof construction, snap traps, glue traps, preventing access to buildings.
- Consult websites and do not hesitate to hire professional exterminators.
- Bait stations are enclosures used by professionals; they protect the bait from weather and restrict accessibility to rodents, providing a safeguard for people, pets, and other animals.
- Once rats have invaded your garden or landscaping, unless your house is truly rodent proof, it is only a matter of time before they will come indoors.
- Prevent access to buildings by making sure doors, windows and screens fit tightly and sealing all openings in foundations. Don't leave cellar doors or ground level doors open; check dryer vents.
- Working together is critical: homeowners, neighbors, tenants, building supers, restaurant owners, Parks and Sanitation Departments, Transit Authority, Department of Health & Mental Hygiene.
- Call 311 to report rat infestations. You can also file a rodent complaint on line at

http://www.nyc.gov/html/doh/html/pest/pest2.html.

• Although we cannot eliminate rats, with aggressive action, their numbers can be reduced to an acceptably low number.

Consult the Following Links for Additional Information:

- http://www.nyc.gov/html/doh/html/pest/pest.html
- http://www.metrokc.gov/health/env_blth/rats.htm
- http://www.idph.state.il.us/envhealth/pcnorwayrat.htm
- http://www.ipm.ucdavis.edu/PMG/PESTNOTES/pn74106.html

http://www.cdc.gov/nasd/docs/d001201-d001300/d001252/d001252.pdf

http://www.ups.gov/phso/ipm/rats.htm

PROTESTANTS' PETITION

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

We, the undersigned, who live in proximity to and are familiar with 1811 Edmondson Avenue, oppose the request of the property owner for a Variance to permit a kennel with a setback of 1 foot in lieu of the required 200 feet to the nearest property line and a Special Exception to permit the use of a private kennel in a D.R. 2 zone:

YULY A. VESA Name Printed	1803 EDMONDSON AV. CM. Address
Signature Joseph Signature	CATONSVILLE, MD212284
Name Printed	Address
Signature	
Name Printed	Address
Signature	
Name Printed	Address
Signature	

PROTESTANT'S

EXHIBIT NO. 2A

PROTESTANTS' PETITION

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

We, the undersigned, who live in proximity to and are familiar with 1811 Edmondson Avenue, oppose the request of the property owner for a Variance to permit a kennel with a setback of 1 foot in lieu of the required 200 feet to the nearest property line and a Special Exception to permit the use of a private kennel in a D.R. 2 zone:

Manuel J. VEGA Name Printed Signature	1803 Edmondson AVE. Address Catonsville MD 21228
Michael Moore Name Printed Michael Moore Signature	15/7 Edmondon Address Catansville, MP 21228
Carla Vesay Name Printed Cale Molecus Signature	1805 Edmondson Ave Address Catonsville, MD 21228
Peggy S. Brown Name Printed Signature	180/ Edwardown are. Address 180/ EDMONDSOND AVE

PROTESTANTS' PETITION

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

We, the undersigned, who live in proximity to and are familiar with 1811 Edmondson Avenue, oppose the request of the property owner for a Variance to permit a kennel with a setback of 1 foot in lieu of the required 200 feet to the nearest property line and a Special Exception to permit the use of a private kennel in a D.R. 2 zone:

Lachary Weaver	1801 Edmondson Ave
Name Printed	Address
Zuly Ween	Catonsville MD 21228
Signature "	
Sessica D Lackaey Name Printed	1815 Edmondson Aug. Address
Laxino Dackoo	Costonsville MN 21728
Signature	
ANN A. PULS	31 N. ROLLING ROAD
Name Printed	Address
Ann a. Jula	CATONSVILLE, MD, 21228
Signature	
Joan Marie Foster Name Printed	31 N. ROLLING ROAD, Apt. #2. Address
Signature Frates	CAtONSVILLE, MARYLAND, 21228
Signature	4849

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

Patricia P. Masters	
Name Printed Signature Name Printed Masters Signature	Address Catons ville, Nd. 21228
Name Printed Ver 1 H. Masters Name Printed Signature	1809 Edmondson Avenue Address Catonsville, Mary June 21228
MAVK WEAUTVZ_ Name Printed Mh Mh Signature	1807 EDMONDSON AND, Address CATOUSVILLE, MD, 21228
Pat Weaver Name Printed Pat Wlawu Signature	1807 Edmondson Ave Address Catonsville, Wd. 21228

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

TIMOTHY JON NETTL	42 NORTH ROWING ROAD
Name Printed	Address Garonsu.//c-, MD Z1228
Signature	
JOY E MANDER Name Printed	42 North Rowny Roman Address
Just mandel	CATONIUILLE MD 21228
Signature	;
Name Printed OVNIC	Address Address
Signature 5	<u></u>
Name Printed	1819 Edmondson ale Address
Signature	· · · · · · · · · · · · · · · · · · ·

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

GERTRUDE H. RIESNER	29 N. ROLLING RO
Name Printed	Address
Dertrude Il Riem	ريد
Signature	
NT December 1	Address
Name Printed	Addiess
Signature	
Name Printed	Address
Signature	
-	
Name Printed	Address
Signature	<u> </u>

Re: Case Number: 05-532-XA
1811 Edmondson Avenue
Legal Owner: Timothy R. Rhodes

136 Edgewood NVC
Address
Catoreville, MC. 21278
13G ROGEROUS AVR
Address
CATONSVILLE, MD 21248
131 EDGEWOOD AVO.
Address
CATONSVILLE, MD. 21228
Address
<u></u>

PDLV0102F Permits & Development - Livability System View Cases

Case No: 04-7557

Address: 01811 ____ EDMONDSON AVE ____ 21228 Insp Area: 020 Dist: 000 Date Rcv: 8/23/2004 Grp: ENF Intk: PC Inspec: RADCLIFFE __ Inspec2: ___ Date Inspec: 6/20/2005 Close: 0/00/0000 Activity: _____ Delete: _ Problem: 5 DOGS, FECES, NEVER CLEANED UP MAP: 41 A CL Name: MASTERS KEN CL Address: 01809 ____ EDMONDSON AVE 21228 CL Home Phone: 410-788-9461 CL Work Phone: 410-974-3336 Tax Acct. 0108651153

Enter=Continue F12=Cancel

Owner: KIRK E SMOTHERS, SAME AS ABOVE

Case No: 04 - 7557

Notes: 8/24/04 NOTICE ISSUED FOR ILLEGAL KENNAL SAW 3 DOGS AND 1 INSIDE ALSO F
OR FECES P/U 9/1/04 FOR FECES AND 9/24/04 FOR KENNAL MSK/SS
**9/2/04 2 PILES OF FECES SEEN. CONTINUE TO MONITOR & CHECK FOR ILLEGAL KENNEL
. UPDATED COMPL. BY V-MAIL. P/U ON 9/24/04. JRA/SS
**9/28/04 CITATION SERVED, GAVE TO JF TO PLACE ON DOCKET FOR 11/16/04. P/U ON
11/14/04 TO DU PRE-HEARING INSPECTION. JRA/SS
**9/27/04 KNOCKED IN DOOR, I SAW 5 DOGS, ALL APPEAR TO BE GREYHOUNDS, 1 BLACK
& WHITE, 1 BLACK & WHITE W/A MUZZLE ON, 2 LT. GREY & WHITE & 1 W/LT. GREY, WHITE
& TAN. SPOKE W/TENANT, WHO SAID THERE ARE 5 DOGS. MOVE TO CITAQTION. P/U ON 10/
12/04 TO CHECK FOR SERVICE. UPDATED COMPL. BY V-MAIL. JRA/SS
*9/28/04 ON DOCKET FOR 11/16/04 FILE TO J RADCLIFFE. /JF**.
***09/29/04 CITATION SENT CERT & REG. CHECK FOR SERV 10/12/04. JRA/LRS**
**10/13/04 CITATION SERVED. P/U ON 11/14/04 TO DO PRE-HEARING INSPECTION. COMP
L. UPDATED. JRA/SS
**11/16/04 HEARING TODAY CHECK FOR FINAL ORDER JRA/SS
**11/19/04 FINAL ORDER SENT TO TIMOTHY & HEATHER RHODES FILE TO J RADCL
IFFE /JF**.

Enter=Continue F12=Cancel

Case No: 04-7557

Notes: 11/23/04 FINAL ORDER STATED, THEY HAVE TILL 12/22/04 TO FILE FOR KENNEL MAINTAIN PROPERTY FREE OF FECES OR FINE OF 1000.00 P/U 12/22/04 JRA/SS ** 12/29/04 20 PILES OF FECES IN REAR SPOKE TO MS MASTERS SHE SAID ALL 5 DOGES A THERE ALL THE TIME. SPOKE TO MR. RHODES HE SAID ENGINERING CO. WAS TO COME OU T ON 12/16/04 BUT HASN'T HEARD FROM THEM AND HE, S AWAY FOR THE HOLIDAY P/U 1/4/0 JRA. **1/5/05 ENGINEERING CO. MARK AND ASSOC. (ERIC MARK) 410-747-8738 DOING DRAWNIN GS FOR PROPERTY OWNER TIM RHODES (301-643-8899) ERIC CALLED SAID HE, D HAVE DRAWI NGS DONE IN TWO WEEKS P/U 1/26/05 JRA. **2/1/05 NO FECES SEEN AND THEY ARE STILL WAITING FOR ENGINEERS DRAWING. P/U 2/1 5/05 JRA. 2/23/05 8 PILES OF FECES P/U IN 2 WEEKS FOR ZOING MEETING JRA. /17/05 MR. RHODES CALLED HE JUST REC. HIS ENGINEER DRAWNINGS BACK AND IS CONTACT ING ZOINING FOR AN APPOINTMENT P/U 3/22/05 FOR APPT. DATE JRA. /23/04 APPT. SET FOR 4/19/05 9:00AM CHECK WITH ZOINING TO SEE IF ACCEPTED JRA.

Enter=Continue F12=Cancel PDLV0105F

Permits & Development - Livability System View Cases

Case No: 04-7557

Notes: 4/19/05 ZOINING CASE # 05-532-XA CHECK NEXT WEEK FOR HEARING DATE	3 P/U 4
/25/05 JRA.	4
/27/05 NP HEARING DATE SET YET P/U 5/3/05 JRA.	5
/4/05 HEARING SET FOR 6/8/05 P/U 6/20/05 JRA.	,
	•
——————————————————————————————————————	

Enter=Continue F12=Cancel

	Baltin Bernent Code Inspections and Enforcement County Office Built Department or Permits and	·/-
P	Development Management 111 West Chesapeake Avenue Towson, MD 21204	,
DATE:	Code Enforcement: 410-887-3351 Plumbing Inspection: 410-887-3620	<u>,</u>
COMPLAINT	Building Inspection: 410-887-3953 Electrical Inspection: 410-887-3960	
LOCATION:_	BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE	
	Citation/Case No. Property No. Zoning:	DIST:
COMPLAINA	04-7557 01-08-651153	1
NAME:	Name(s): KIRK E. SMOTHERS	374 3336
ADDDTCC.	TimeRhodes	71.
ADDRESS:	Address: 1811 EDMONOSON AVE BALT NO 21228	3/3 <u></u>
PROBLEM:	Violation: 1811 EDMONDSON ALC	<u>v</u>
	DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:	, , , , , , , , , , , , , , , , , , ,
e de la contraction de la cont		-
IS THIS A RI	6CZR 101; 102.1; 1BO2.1; 207; 421,1	
IF YES, IS T	CEASE ILLEGIAL OPERATION OF A	<u>.</u> r
OWNER/TENA INFORMATIO	KENNEL ONLY 3 DOG ALLOWED AT	
	RESIDENTAL PROPERTY IN BALL. C.	
	Remove any Doy over # 0+13 by 9-24-04	
TAX ACCOUN	FCC 6-202-22-47; 32-7 FECES ROMOVA	C
	Dog Feces must be chan up	
INSPECTION	ONS DANLY BASIC	•
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	<u>, , , , , , , , , , , , , , , , , , , </u>	, 1, , , , , , , , , , , , , , , , , ,
REINSPECTIO		-
	YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE: On or Before: Date Issued:	······································
	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 A A A A A A A A A A A A A	F
	M START KELLY	1
REINSPECTIO	INSPECTOR: IV-SUCCE	
Electron Charles	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:	, 1.,
	Not Later Than: Date Issued: MALED	
REINSPECTIO		1
	INSPECTOR:	
	AGENCY	,,,_,_,_,_,_,, <u>,,_,_,_,_,_</u>

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DATE: \$\int_123\omega_123\omega_1\text{INTAKE BY:} \frac{1}{2} \text{Case #:} \frac{1}{5}\frac{5}{2}	S INSPEC:
COMPLAINT LOCATION: 12/1 2-10 MON CON AV.	<u> </u>
	DE: 2/22 £_ DIST:
COMPLAINANT NAME: / 1-11 101/15/1-125 PHONE #: (H) Zff-	3461 (w) 974 3336
ADDRESS: 1809 25/10/10/11 SOM BY	
PROBLEM: 5 DOC - DOLS NOT Ch	INM VO
HUMML LASSE	/
IS THIS A RENTAL UNIT? YES NO OWNER/TENANT INFORMATION:	
TAX ACCOUNT #: 3/04657/53	NING:
INSPECTION: /1/2/c 25. PHOT/FL/2)	
SAM	
**************************************	<u> </u>
REINSPECTION:	<u>, , , , , , , , , , , , , , , , , , , </u>
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Clation/Castiv		roperty No.	65115	2	oning 2		- , ; - , ; - , ;
Name(s)			Warthe.	等的 经基本公司 (1) 中心的 (1) (1)。			region region
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Violation							
Violation		24204		//-//	12 75/	State Commission	
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Defendant's Signature

AGENOV

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 119
111 West Chesapeake Avenue
Towson, Maryland 21204

MAP 4/A3

BALTIMORE COUNTY, Plaintiff, vs. Kirk E. Snothers	, Defendant
Case # 04-7557 Violation Address 1911 Edmondson Ave. Zip 21	;
Hearing Date 1/1/404 Issued Date 9/27/09 Expiration Date 10/204	
Author of Citation ————————————————————————————————————	· ·
REQUEST FOR SERVICE	
Please serve the attached process on the person shown.	_
ORDER FOR SERVICE	-
You are hereby commanded to serve the attached process and to make your return promptly on this Order if se serve, you are to make your return on this Order and return the original process no later than the last day fol validity of the process.	rved, and if you are unable to lowing the termination of the
PROOF OF SERVICE	•
I hereby CERTIFY that:	
A Citation and all other papers filed with it were served by restricted delivery mail, return card attached.	,
A Citation and all other papers filed with it were served by personal delivery to Juan Could	11/104 (lives Then
1811 Edmond Son Ave. Zip Z1228 on 9,28,04 11:	served
Description of Person Served: Age: Z/_ yrs. Other: Sex. M F Height:	1bs.
Telephone verification of citation acknowledgment from on/ on	
I was unable to serve:	,
1 st Attempt / / a.m./p.m. because	
2 nd Attempt a.m./p.m. because	Initials
3 rd Attempt / / a.m./p.m. because	Initials
	Initials
I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of and belief, and do further affirm that I am a competent person over 18 years of age and not a party to the case.	my knowledge, information,
111 W. Chesapeake Ave. Towson, MD 21204 Server's Address Telephone	i
$-\infty$ 0 ∞ 1 1	7 /

Page 1 of 3

Catonsville Times

(420)296-0689



June 07, 2005



How many dogs are too many dogs?

06/01/05 Marcia Ames

Respond to this story Email this story to a friend

A zoning request to permit a private kennel on a Catonsville residential property has some neighbors more than worried.

Frankly, they seem politely disgusted.

"It's not that I'm opposed to dogs - I'm not antidog," said Pat Weaver, who lives nearby and has a cat.

"I'm just antifive dogs."

That could be five large dogs - greyhounds, she said - and possibly more, if the kennel is permitted.

The yard is small at the property in question, 1811 Edmondson Ave., near the southeast corner of the North Rolling Road intersection.

And, in terms of dog feces, it is already unkempt, Weaver said, and county records confirm.

The word "kennel" itself has her trying to imagine a multi-room boarding facility, separate from the house and wedged into a tiny back yard.

Having more than three dogs in a Baltimore County residential

zone amounts to having a private kennel, even if the dogs are

simply pets sharing the rooms you and your family occupy,

Catonsville, MD



Broken clouds 84°F

Weather Center

If a private kennel is permitted, the owner might keep as

according to Councilman Sam Moxley, who represents

MyMus.



Catonsville.

Page 2 of 3

Catonsville Times

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Jerkins/lanzi

(410)

by Intellicast Weather

many as 10 dogs, not counting pupples younger than 4 months, according to zoning regulations.

Search

News

News

Search tips Advanced

The Edmondson Avenue case also includes a request to permit the kennel one foot from the nearest property line, instead of the 200 feet required by zoning regulations.

Features
Local TV Listings

"We're certainly not thrilled with the notion of having a county-recognized dog kennel on a lot that's 25 feet wide," said Ken Masters, calmiy noting the odor, flies and noise already emanating from the lot in question, which is next to his.

Although the zoning hearing is scheduled for June 8, the case originated last August, when the property's owner at that time, Kirk Smothers, was cited for having at least four dogs and for not cleaning dog feces from the yard, code enforcement records show.

In September, five dogs - they appeared to be greyhounds - were living on site, and feces were present in the yard, the records show.

By that time Timothy Rhodes, before then a tenant, owned the 4,524-square-foot property, according to county tax records.

A phone request to Rhodes for comment last week went unanswered.

Following a November code enforcement hearing, Rhodes was given until Dec. 22 to correct the offenses or face a \$1,000 fine. If the dogs were to remain, he had to request zoning relief to allow a private kennel.

On Dec. 30, a code inspector found 20 piles of feces in the back yard and concluded also that the five dogs were still living there, records show.

Rhodes filed the zoning request in April, after an excused delay in obtaining the required site description paperwork, according to Don Rascoe, deputy director of the county's permits and development management office.

Also in April, the June 8 zoning hearing was scheduled by the county.

At press time, Rascoe said he was continuing to seek information about the case to determine whether or how the issue of dog feces was resolved.

Meanwhile, Weaver and Masters were eager for the hearing to get under way.

_ t

Jun 07 05 03:28p

Jervins/lanzi

(417)296-0689

p. 4

Catonsville Times

Page 3 of 3

"These back yards are very small, and that's our complaint it's way too small for what they want to do," Weaver said, referring to the request for allowing five dogs.

She describes the Edmondson Avenue houses along the southeast corner of North Rolling Road as duplexes - two dwellings each, constructed side by side, sharing an interior wall, by her definition.

"We're only 25 feet away from it, or 30," she said, referring to Rhodes' yard.

"And (Ken and his wife) are one foot away."

They and Rhodes share a common wall, while she lives next door to Masters, she explained.

"It's way too close and, in the summertime, it's really bad," she said, referring to the odor and downhill runoff from dog feces.

"I think, given the size of our properties and whatnot, the ideal solution would be one dog, dealt with responsibly," Masters said.

"If the law permits three, then, obviously, I'll have to live with three - but, I hope they would be dealt with responsibly.

"We are downstream," he sald.

The zoning hearing for the 1811 Edmondson Ave. site is scheduled for 9 a.m., June 8 in Room 407 of the County Courts Building, 401 Bosley Ave., in Towson. The public is allowed to attend and to testify. For additional information, call Kristen Matthews at 410-887-3391.

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Tracker

Click here for a plain text ADA compliant screen.



Go Back View Map New Search Ground Rent

Account Identifier:

District - 01 Account Number - 0108651153

Owner Information

Owner Name:

RHODES TIMOTHY R

RHODES HEATHER C

Use:

RESIDENTIAL

(CHODES HEATHER)

Principal Residence:

YES

Mailing Address:

1811 EDMONDSON AVE

BALTIMORE MD 21228-4350

Deed Reference:

1) /20671/ 1

2)

Location & Structure Information

Premises Address

1811 EDMONDSON AVE

Legal Description

PT LT 4

1811 EDMONDSON AVE

LOUIS F MEYERS

Map Grid Parcel Sub District Subdivision Section Block Lot Assesment Area Plat No: 100 11 1115 4 1 Plat Ref: 9/34

Special Tax Areas

Ad Valorem

Town

Tax Class
Primary Structure Built Er

Primary Structure BuiltEnclosed Area
1938Property Land Area
4,524.00 SFCounty Use
04StoriesBasementTypeExterior2YESEND UNITSTUCCO

Value Information

Phase-in Assessments Base Value **Value** As Of As Of As Of 01/01/2004 07/01/2004 07/01/2005 Land: 28,500 40,000 **Improvements:** 69,720 71,950 Total: 98,220 111,950 102,796 107,372 Preferential Land:

Transfer Information

Seller: SMOTHERS KIRK E Date: 09/10/2004 Price: \$135,000

 Type:
 IMPROVED ARMS-LENGTH
 Deed1: /20671/1
 Deed2:

 Seller:
 URBANAS DIANA A
 Date: 08/10/1998
 Price: \$99,400

 Type:
 IMPROVED ARMS-LENGTH
 Deed1: /13065/341
 Deed2:

Seller: URBANAS DIANA A

Date: 04/04/1989 Price: \$0

Type: NOT ARMS-LENGTH

Deed 1: / 8140/ 277 Deed 2:

Exemption Information

 Partial Exempt Assessments
 Class
 07/01/2004
 07/01/2005

 County
 000
 0
 0

 State
 000
 0
 0

 Municipal
 000
 0
 0

Tax Exempt: Exempt Class: NO

Special Tax Recapture:

* NONE *

Click here for a plain text ADA compliant screen.



Go Back View Map <u>New Search</u> Ground Rent

Account Identifier:

District - 01 Account Number - 1600008163

Owner Information

Owner Name:

MASTERS KENNETH HALLS

MASTERS PATRICIA P

Use:

RESIDENTIAL

Principal Residence: YE

YES

Mailing Address:

1809 EDMONDSON AV

BALTIMORE MD 21228

Deed Reference:

1) / 5559/ 778

2)

Location & Structure Information

Premises Address

1809 EDMONDSÖN AVE

Legal Description

PT LT 4-5

160 E ROLLING RD LOUIS F MEYERS

Map Grid Parcel Sub District Subdivision Section Block Lot Assesment Area Plat No: 100 12 1093 Plat Ref: 9/34

Special Tax Areas

Ad Valorem Tax Class

Town

Primary Structure BuiltEnclosed AreaProperty Land AreaCounty Use19381,500 SF4,400.00 SF04StoriesBasementTypeExterior2YESEND UNITSTUCCO

Value Information

	Base	Value	Phase-in Assessments		
	Value	As Of	As Of	As Of	
		01/01/2004	07/01/2004	07/01/2005	
Land:	28,500	40,000	•	,	
Improvements:	69,720	71,950			
Total:	98,220	111,950	102,796	107,372	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: Type:	MARYLAND TITLE G UARANTEE CO IMPROVED ARMS-LENGTH	Date: 08/25/1975 Deed1: / 5559/ 778	Price: \$34,000 Deed2:	
Seller:		Date: Deed1:	Price: Deed2:	
Type: Seller:		Date:	Price:	
Type:		Deed1:	Deed2:	

Exemption Information

	<u>', </u>	ما بداخته باز از در باز در در باز در باز از در باز در		
Partial Exempt Assessments	Class	07/01/2004	07/01/2005	
County	000	0 .	0	
State	000	0	0	
Municipal	000	0	0	
-				

Tax Exempt: Exempt Class: NO

Special Tax Recapture:

* NONE *

Click here for a plain text ADA compliant screen.



Go Back View Map <u>New</u> Search Ground Rent

Account Identifier:

District - 01 Account Number - 1600008613

Owner Information

Owner Name:

Malling Address:

WEAVER MARK 3

WEAVER PATRICIA H

Use:

RESIDENTIAL

Principal Residence:

YES

1807 EDMONDSON AV BALTIMORE MD 21228 Deed Reference:

1) / 8891/ 265

2)

Location & Structure Information

Premises Address

1807 EDMONDSON AVE

Legal Description

SS EDMONDSON AV 170 E ROLLING RD

Map Grid Parcel Sub District Subdivision Section Block Lot Assesment Area Plat No: 1 Plat Ref:

Special Tax Areas

Town Ad Valorem

Tax Class

Primary Structure BuiltEnclosed AreaProperty Land AreaCounty Use19381,500 SF4,425.00 SF04StoriesBasementTypeExterior2YESEND UNITSTUCCO

Value Information

Value **Phase-in Assessments Base** Value As Of As Of As Of 01/01/2004 07/01/2005 07/01/2004 Land: 28,500 40,000 Improvements: 69,720 71,950 Total: 98,220 111,950 102,796 107,372 **Preferential Land:**

Transfer Information

Seller: RUSSELL ROBERT H 08/21/1991 Date: Price: \$98,000 IMPROVED ARMS-LENGTH Type: **Deed1:** / 8891/ 265 Deed2: Seller: Date: Price: Type: Deed1: Deed2: Seller: Date: Price: Type: Deed1: Deed2:

Exemption Information

 Partial Exempt Assessments
 Class
 07/01/2004
 07/01/2005

 County
 0
 0
 0

 State
 000
 0
 0

 Municipal
 000
 0
 0

Tax Exempt: Exempt Class: NO

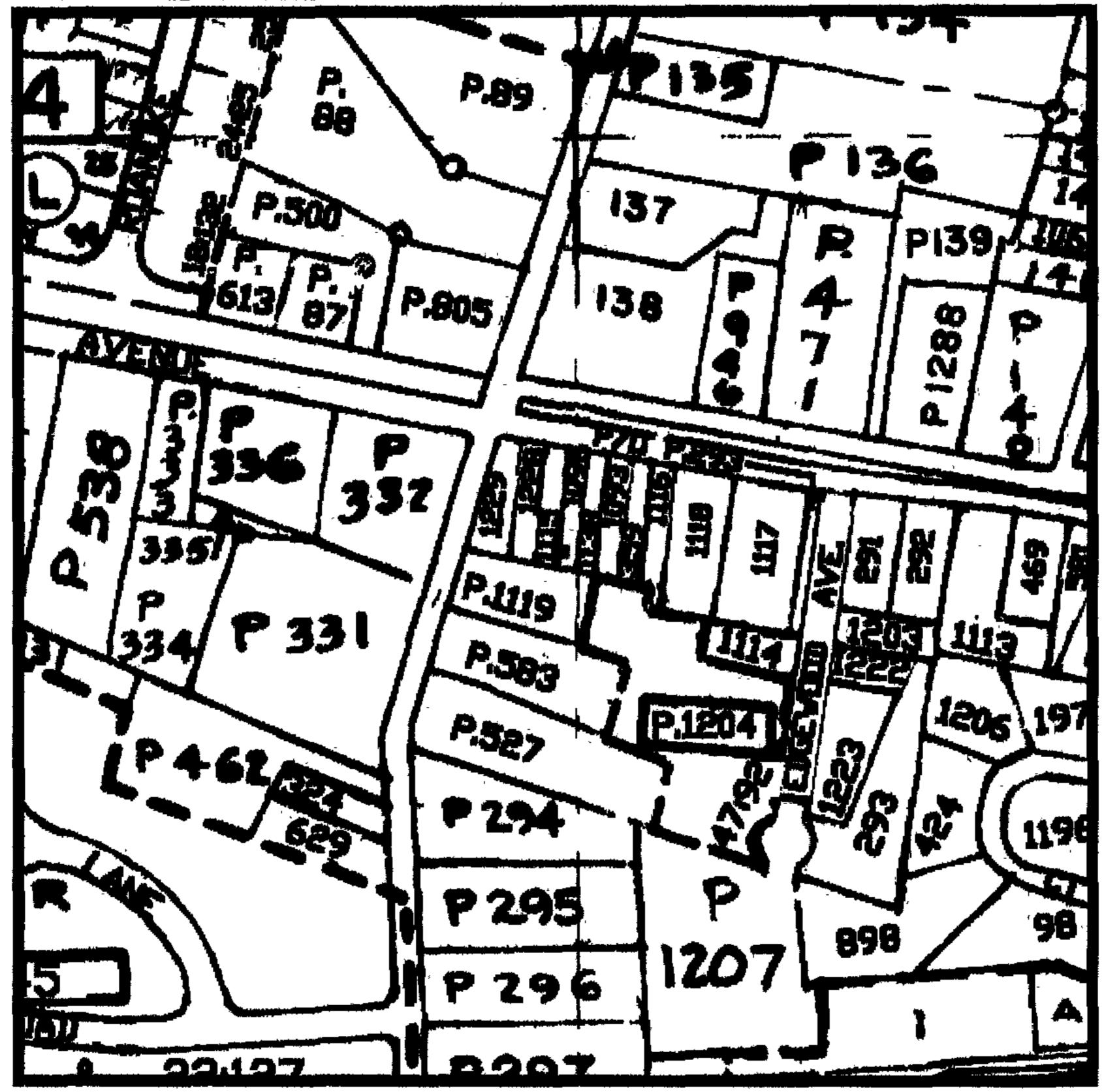
Special Tax Recapture:

* NONE *



Go Back View Map New Search

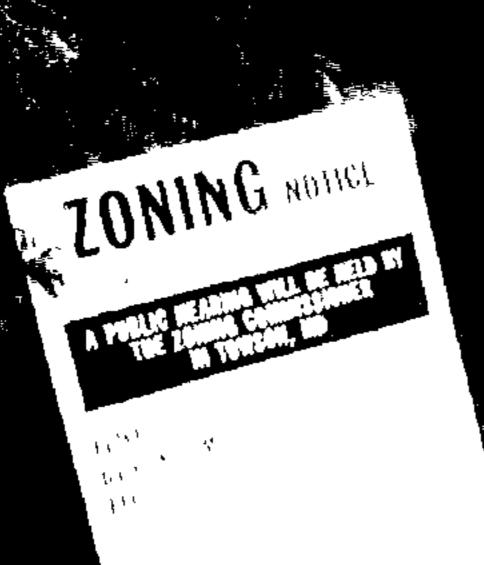
District - 01Account Number - 0108651153

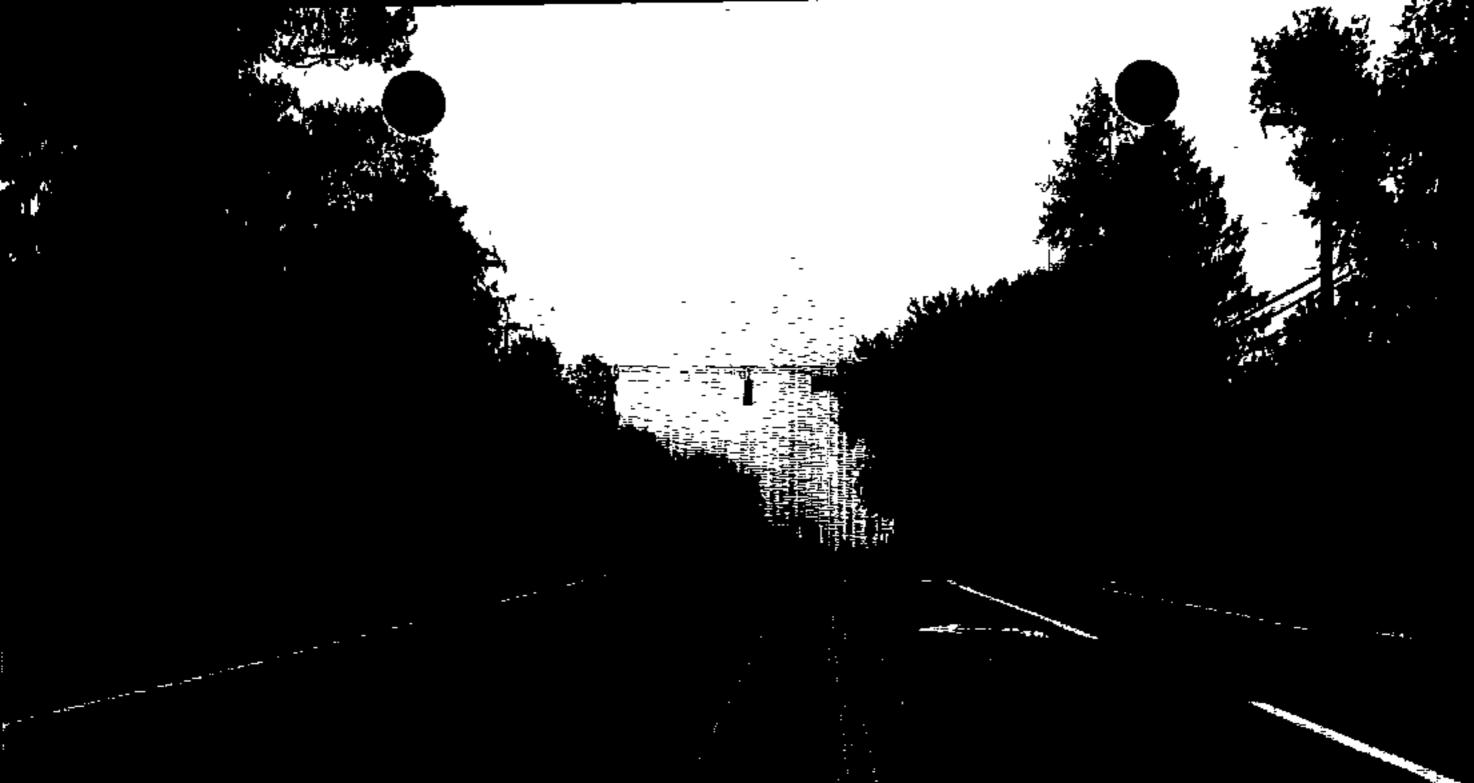


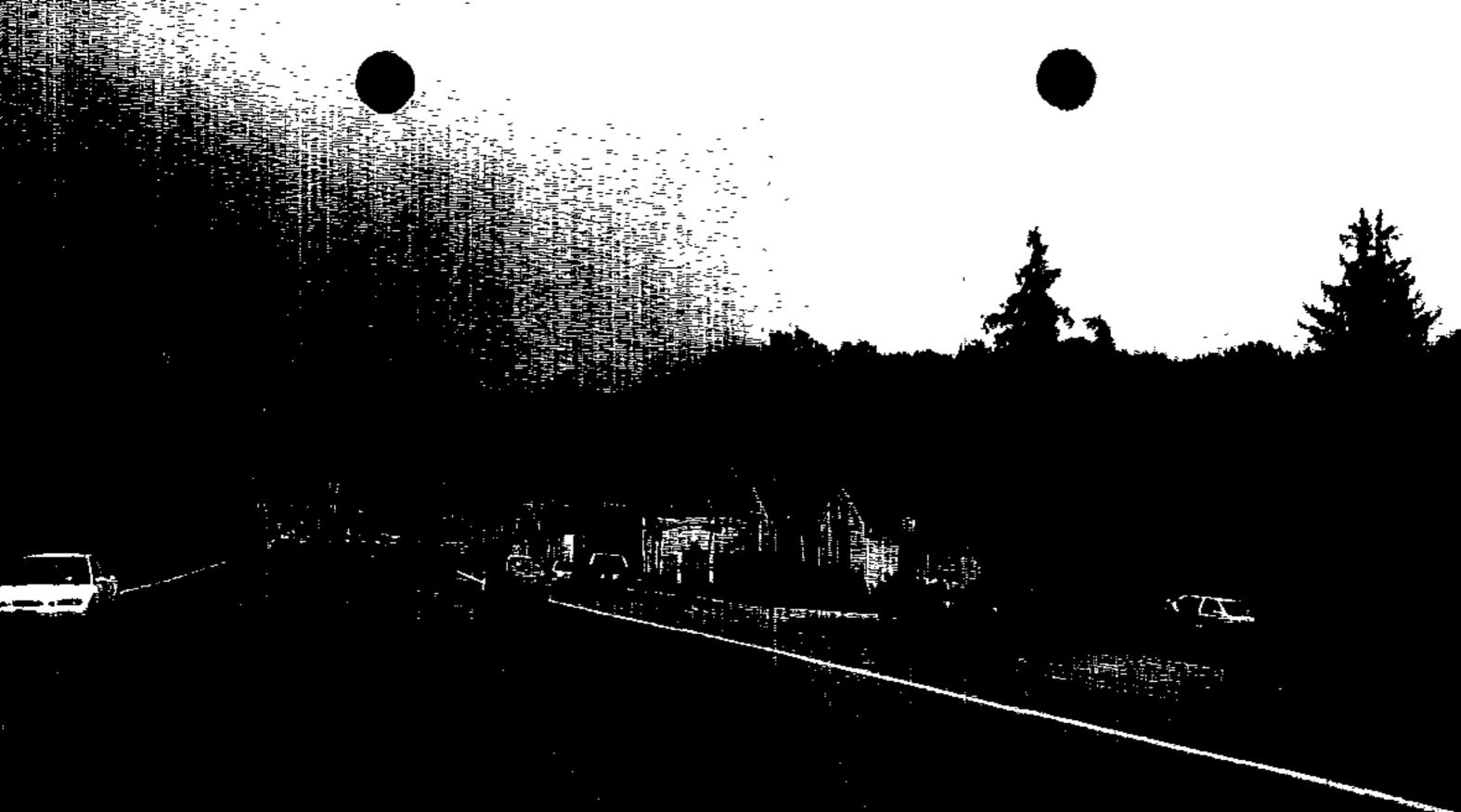
Property maps provided courtesy of the Maryland Department of Planning ©2004. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html









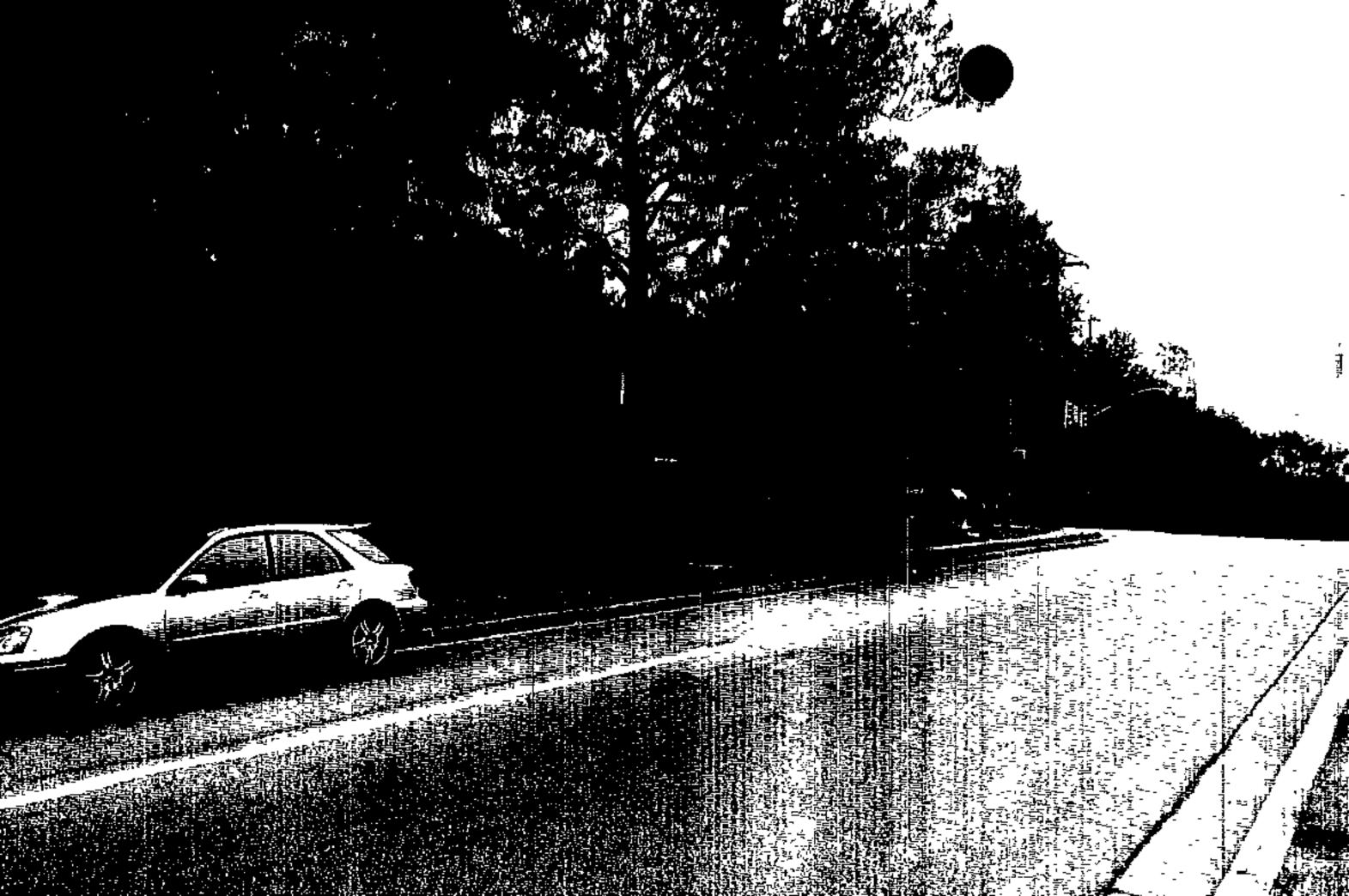
































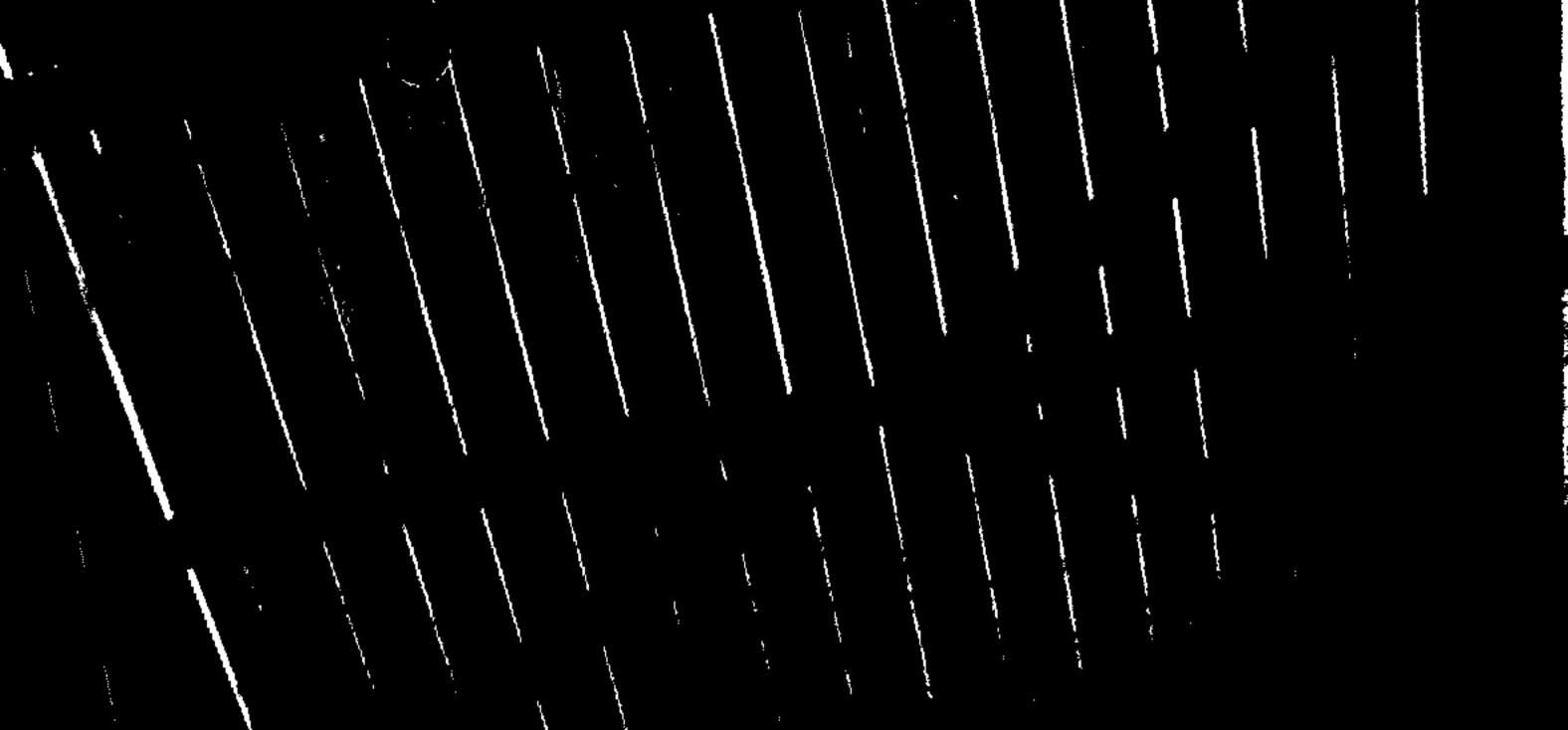


































EDGEWOOD 60' N15°39'E

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