JATOER RECEIVED FOR FILING

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IN RE: PETITIONS FOR SPECIAL EXCEPTION *

AND VARIANCE – E/S Jarrettsville Pike,

476' S of the c/l Sunset Lane (13519 Jarrettsville Pike)

10th Election District
3rd Council District

Irvin P. Keplinger Petitioner BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 07-037-XA

* * * * * * * *

*

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, Irvin P. Keplinger, through his attorney, Francis X. Borgerding, Jr., Esquire. The Petitioner requests a special exception for a private kennel on the subject property, pursuant to Section 1A07.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and variance relief from Section 421.1 of the B.C.Z.R. to permit a private kennel as close as 33 feet to the property line in lieu of the minimum required 200 feet. 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 request were Irvin P. Keplinger, property owner, his daughter, Deborah B. Niels, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioner. Also appearing were Bruce E. Doak, the Surveyor who prepared the site plan for this property, and Jeffrey G. Comen, an adjacent neighbor. There were no Protestants or other interested persons present.

Testimony and evidence presented disclosed that the subject property is an irregular shaped parcel located on the east side of Jarrettsville Pike, just south of Sunset Lane in northeastern Baltimore County. The property contains a gross area of 1.35 acres, more or less, zoned R.C.6 and is improved with a single family dwelling, a swimming pool/cabana, pool house, tennis court, an accessory shed and barn. As shown on the site plan, the property is one of

three adjacent parcels owned by the Petitioner, and is essentially the center lot. This center lot has approximately 73 feet of frontage along Jarrettsville Pike; however, widens towards the rear of the lot to a width of approximately 175 feet. The bulk of the overall tract owned by the Petitioner is wooded. Thus, due to the irregular shape and wooded nature of the property, all of the existing improvements are located to the rear of the center lot and are accessed via a lengthy driveway that leads into the property from Jarrettsville Pike.

The Petitioner has owned and resided on the property with his daughter for many years. Mr. Keplinger testified that he and his daughter show and raise Pomeranian dogs as a hobby. Currently they have 12 dogs, from 1 to 14 years of age, all of which they consider family. Apparently, the older dogs had several litters and the Keplingers kept some of the puppies, thereby increasing the number of pets they now have to 12. Mr. Keplinger described each pet and submitted into evidence photographs of the dogs marked as Petitioner's Exhibits 2J and 2K. Further testimony indicated that the dogs are primarily kept in the pool house, which is located in the side yard to the rear of the home, approximately 33 feet from the (north) side property line.

At issue in the instant case is the number of dogs the Petitioners have and the location of the pool house. The zoning regulations allow a maximum of 3 dogs on any residentially zoned property and any number above that requires a special exception for a kennel. Moreover, pursuant to Section 421.1 of the B.C.Z.R., a minimum setback of 200 feet is required from any adjoining property line is required. Thus, relief is requested as set forth above, to legitimize existing conditions.

In support of the request, Mr. Keplinger testified that they have no intention of entering into any kind of commercial business boarding other people's dogs on their property, and wish only to keep the 12 dogs that they now have or their replacements for as long as they live. In this regard, he testified that there are usually 1 to 3 puppies in a litter and that any new puppies would be sold after the 12th week, or within 4 months after their birth to maintain a maximum of 12 dogs on the property. It is also to be noted that the immediately adjacent neighbor to the north who would be most affected by the proposal, Penelope Hubbard, has no

objections to the request, so long as there are no future structures for kennel use constructed within 200 feet of her property.

Testimony was also offered by Mr. Comen, who resides not far from the rear of the subject property on Dalebrook Drive. He corroborated the testimony offered by the Petitioner and testified that the dogs are not noisy and the pool house is well-buffered. He has lived in the area for many years and knows of no problems, complaints or disturbances caused by the dogs.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested special exception and variance requests. Obviously, it is impossible for the Petitioners to meet the required 200-foot setback, given the unique configuration of the property and the location of existing improvements thereon. Moreover, it is clear that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship for the Petitioners in that it would force them to choose which dogs to remove from their home. I am convinced that the Petitioners are sincere in their desire to have a "private" kennel and have no intention of expanding that use. In addition, it is clear that the Petitioners have operated a private kennel on their property for many years without complaint. There were no adverse comments submitted by any County reviewing agency and the immediately adjoining neighbor who would be most affected has no objections. Thus, I find that with certain conditions and restrictions, as provided by Section 421.5 of the B.C.Z.R., the relief requested can be granted and will not result in any detriment to the health, safety and general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2 day of October 2006 that the Petition for Special Exception to approve a private kennel on the subject property, pursuant to Section 1A07.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 421.1 of the B.C.Z.R. to permit a 33-foot setback in lieu of the minimum required 200 feet for a private kennel, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners shall be limited to having no more than 12 dogs on the subject property at any given time. Therefore, as a result of natural attrition a replacement dog may be substituted at the discretion of Petitioner, but in no event shall the number exceed the amount granted in this restriction.
- 2) At such time as the Petitioners no longer reside on the property, no subsequent purchaser shall maintain a private kennel on the property without a subsequent special hearing.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this Order shall be taken in accordance with Baltimore County Code

Section 32-3-401.

WJW:bjs

MELIAMI WISEMAN, III

Zoning Commissioner for Baltimore County



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 13519 Jametsville Pike

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

See attached

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

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

	I/We do solemnly declare and affirm, under the perjury, that I/we are the legal owner(s) of the is the subject of this Petition.	ne penalties of property which
Contract Purchaser/Lessee:	Legal Owner(s);	•
Name - Type or Print	TRUIN P. KEPLINGER Name - Type or Print	
Signature	Signature P. Keplinger	<u></u>
Address Telephone No.	Name - Type or Print	
City State Zip Code	Signature	410-628
Attorney For Petitioner:	13519 Jarrettsville Pike	7108 Telephone No.
Name - Type or Print Borger ding Nr.	Phoenix, MD.	21/3/
Signature	State Representative to be Contacted;	Zip Code
Company	ERUCE DOAK @ GC. # E.	
Address Washington ave suite Con Gro 29/1920 Telephone No.	Name 320 E. Tousout cull BLVD 32 Address	73-4470 Telephone No.
City Towson ml 2/204 State Zip Code	TUUSON MD City State	Telephone No. 2128に Zip Code
	OFFICE USE ONLY	
Case No. 07-037-XA	ESTIMATED LENGTH OF HEARING	
280 09 15 98	Reviewed By Date	7/28/06

PETITION FOR SPECIAL EXCEPTION

13519 Jarrettsville Pike

To allow a private kennel per section 1A07.3.B.2 of the B.C.Z.R.

Item #037



Petition for Variance

to the Zoning Commissioner of Baltimore County

	tor the brobe	erty tocated at 12 214 July	PAS VILLE PIRP
•		which is presently zoned	R.C.6
of the property situate in Balt hereof, hereby petition for a Va	timore County and which is descri ariance from Section(s) 421,1	nd Development Management. The unibed in the description and plat attached $a + b = B \cdot C \cdot Z \cdot R \cdot A \cdot A$	hereto and made a par
as close as 33ft of 4	the property line in	lien of the required	200'
or practical difficulty)		of Baltimore County, for the following real	asons: (indicate hardship
7.	be discussed at hear	j-g	•
 or we, agree to pay expense 	dvertised as prescribed by the zon s of above Variance, advertising, po Itimore County adopted pursuant to th	sting, etc. and further agree to and are to	be bounded by the zoning
		solemnly declare and affirm, under the pena are the legal owner(s) of the property which on.	lties of
Contract Purchaser/Less	<u>ee:</u>	Legal Owner(s):	
Name - Type or Print		TRUIN P. KEPLINGER Name - Type or Print	<u></u>
Signature	- 	Signature D. Kepling	<u> </u>
Address	Telephone No.	Name - Type or Print	
City	State Zip Code	Signature	÷ > 410
Attorney For Petitioner:		13519 JARRETTSUILLE Address	Fike 628 7/08 Telephone No.
Name - Type or Print	rapiding, Vr	Phoenik MO City State	2// 3 / Zip Code
Signatur		Representative to be Contacted:	
Gompany		Name	
Activess 1	n de 600 (410/246-6920) Telephone No.	Address	Telephone No.
T 2 3	State Zip Code	City	Zip Code
		OFFICE USE ONLY	

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date ____



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906



Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone; (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

July 12, 2006

ZONING DESCRIPTION KEPLINGER 13519 Jarrettsville Pike Baltimore County, Maryland

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

Beginning for the same at a point on the centerline of Jarrettsville Pike, 476 feet from the intersection of the centerlines of Jarrettsville Pike and Sunnyview Drive, thence running.

- 1) North 49 degrees 36 minutes East 560.67 feet,
- 2) North 40 degrees 24 minutes West 174.79 feet,
- 3) South 49 degrees 36 minutes West 191.12 feet,
- 4) South 17 degrees 04 minutes East 120.00 feet,
- 5) South 49 degrees 36 minutes West 290.00 feet,
- 6) South 14 degrees 03 minutes East 73.11 to the point of beginning.

Containing 1.35 acres of land, more or less.

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

Item #037

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: #07-037-XA

13519 Jarrettsville Pike

Northeast side of Jarrettsville Pike, 476 feet north of centerline of Sunnyview Road

10th Election District - 3rd Councilmanic District

Legal Owner(s): Irvin P. Keplinger

Special Exception: to allow a private kennel per Section 1A07.3.B.2 of the BCZR. Variance: to permit a private kennel as close as 33 feet of the property line in lieu of the required 200 feet.

Hearing: Tuesday, September 26, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-

nue, 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) 887-3868.

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

JT/9/650 Sept. 12 108984

CERTIFICATE OF PUBLICATION

9/14, 2006
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
nce in each ofsuccessive weeks, the first publication appearing on
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

J. MULLING LEGAL ADVERTISING

FROM: MISCELL OFFICE OF BUDGET & FINANCE BALTIMORE NOIL ANEOUS COUN RECEIPT SS.MTBB AUTHOR! 知识"玩"。 MILITATION THE PARTY AND THE \$705, (II)



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 07-037XA
PETITIONER/DEVELOPER:

Irvin P. Keplinger

DATE OF HEARING: 9/26/06

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

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

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

LOCATION:

13519 Jarrettsville Pike

(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

STED ON: 9/05/06

ZONING NOTICE

CASE #:07-037-XA

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

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

9:00 am Tuesday, September 26, 2006

Special Exception: to allow a private kennel per Section 1A07.3.B.2 of the BCZR,

<u>Variance</u>: to permit a private kennel as close as 33 feet of the property line in lieu of the required 200 feet.

THE ARMS THE HANDICAPPED ACCESSIONS

•

Department of Permits Ol 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

August 11, 2006

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: 07-037-XA

13519 Jarrettsville Pike

Northeast side of Jarrettsville Pike, 476 feet north of centerline of Sunnyview Road 10th Election District – 3rd Councilmanic District

Legal Owner: Irvin P. Keplinger

Special Exception to allow a private kennel per Section 1A07.3.B.2 of the BCZR. Variance to permit a private kennel as close as 33 feet of the property line in lieu of the required 200 feet.

Hearing: Tuesday, September 26, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204 Irvin Keplinger, 13519 Jarrettsville Pike, Phoenix 21131 Bruce Doak, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 11, 2006.

- (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.



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

PETITION FOR SPECIAL EXCEPTION RE:

AND VARIANCE

13519 Jarrettsville Pike; NE/S Jarrettsville

Pike, 476' N c/line Sunnyview Road

10th Election & 3rd Councilmanic Districts

Legal Owner(s): Irvin P. Keplinger

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-037-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 4th day of August, 2006, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286 and Francis X. Borgerding, Jr, Esquire, 409 Washington Avenue, St 600, Towson, MD, 21204, Attorney for Petitioner(s).

RECEIVED

AUS 0 4 2006

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Max Limmonman

Department of Permits 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

August 11, 2006

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: 07-037-XA

13519 Jarrettsville Pike

Northeast side of Jarrettsville Pike, 476 feet north of centerline of Sunnyview Road 10th Election District – 3rd Councilmanic District

Legal Owner: Irvin P. Keplinger

Special Exception to allow a private kennel per Section 1A07.3.B.2 of the BCZR. Variance to permit a private kennel as close as 33 feet of the property line in lieu of the required 200 feet.

Hearing: Tuesday, September 26, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204 Irvin Keplinger, 13519 Jarrettsville Pike, Phoenix 21131 Bruce Doak, 320 E. Towsontown Blvd., Towson 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 11, 2006.
 - (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.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 12, 2006 Issue - Jeffersonian

Please forward billing to:

Irvin Keplinger 13519 Jarrettsville Pike Phoenix, MD 21131 410-628-7108

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: 07-037-XA

13519 Jarrettsville Pike

Northeast side of Jarrettsville Pike, 476 feet north of centerline of Sunnyview Road 10th Election District – 3rd Councilmanic District

Legal Owner: Irvin P. Keplinger

Special Exception to allow a private kennel per Section 1A07.3.B.2 of the BCZR. <u>Variance</u> to permit a private kennel as close as 33 feet of the property line in lieu of the required 200 feet.

Hearing: Tuesday, September 26, 2006 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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 07-037-XA
Petitioner: Irvin Keplinger
Address or Location: 13519 Jarretteville Pike
PLEASE FORWARD ADVERTISING BILL TO: Name: Kenlinger
Address: 17519 Sarretteville Pike
Phoenix Md
21131
Telephone Number: <u>410 628 7108</u>

Revised 7/11/05 - SCJ

Item # 037



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 18, 2006

Francis X. Borgerding, Jr. 409 Washington Avenue, Ste 600 Towson, MD 21204

Dear Mr. Borgerding:

RE: Case Number: 07-037-XA, 13519 Jarrettsville Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 28, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel Irvin P. Keplinger 13519 Jarrettsville Pike Phoenix 21131 Bruce Doak 320 E. Towsontown Blvd Towson 21286

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

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

August 3,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: August 3,2006

Item No.: 031, 036, 037, 038, 039, 040, 041, 042, 043 and 044

Pursuant to your request, the referenced plan(s) have been reviewed by the Fire Marshal's Office 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.

Acting Lieutenant Don W. Muddiman Fire Marshal's Office 410-887-4880 MS-1102F



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



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

Maryland Department of Transportation

Date: 3.3.01

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

RE: Baltimore County

Item No. 27 37

ワヤ

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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

1.1. South

Engineering Access Permits Division



JAMES T. SMITH, JR. County Executive

October 3, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Francis X. Borgerding, Jr., Esquire 409 Washington Avenue, Suite 600 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE

E/S Jarrettsville Pike, 476' S of the c/l Sunset Lane
(13519 Jarrettsville Pike)
10th Election District – 3rd Council District
Irvin P. Keplinger - Petitioner
Case No. 07-037-XA

Dear Mr. Borgerding:

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

LLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Irvin P. Keplinger, 13519 Jarrettsville Pike, Phoenix, Md. 21131
Mr. Bruce E. Doak, Gerhold Cross & Etzel, 320 E. Towsontown Blvd., Towson, Md. 21286
Ms. Penelope F. Hubbard, 13531 Jarrettsville Pike, Phoenix, Md. 21131
People's Counsel; Case File

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-037 Special Exception

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:

woul

RECEIVED

DATE: September 22, 2006

SEP 2 5 2006

ZONING COMMISSIONER

Division Chief:

CM/LL

1300 9/26 9 Am

September 19, 2006

RECEIVED

Baltimore County Zoning Commission Baltimore County Court Building 401 Bosley Avenue Room 407 Towson, MD 21204 SEP 2 0 2006

ZONING COMMISSIONER

I am the neighbor of Irving P Keplinger, residing at 13519 Jarrettsville Pike in Phoenix, MD 21131.

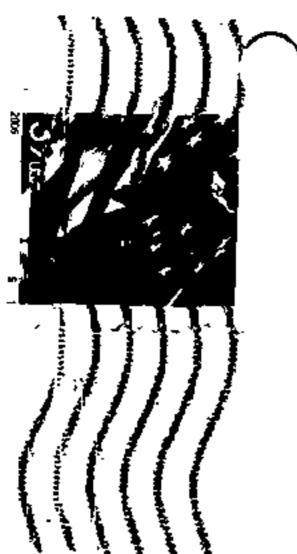
It is my property (13531 Jarrettsville Pike, Phoenix MD 21131) which bounds below the 200 foot requirement for any pet kennel buildings within my zoning regulations. I have no fault with the variance which Mr. Keplinger has requested at the moment, of 33 feet from my property line to house a private, non-boarding fanciers license. With the provision that no future structures of any kind be placed less 200 feet from my property; as long as I own the property of 13531 Jarrettsville Pike Phoenix MD 21131.

Sincerely.

Penelope F Hubbard

BALTIMORE MO 212

19 SEP 2006 PM 8 L



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Literate Marchalla de la factor de la factor

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 8, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 14, 2006

Item Nos. 036, 037, 040, 042, and 043

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-08082006.doc

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

E- MAIL														
CITY, STATE, ZIP	10w501 110 21286		Tower and 21286	PHOENIX Md 21231		M, A								
ADDRESS	330 E. Towspurpour Seva		404 Withentone suitelle	13519 JARRETTSVILLE PIRE	Jarrettsville Pi	4 Dalebrook Drive								
NAME	BRUCE E DON	GENERICIO CROSS & Gren	Flacus X. Boundary	D. Ken	ah B. Kiels	7								

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Case	NO:
Case	110

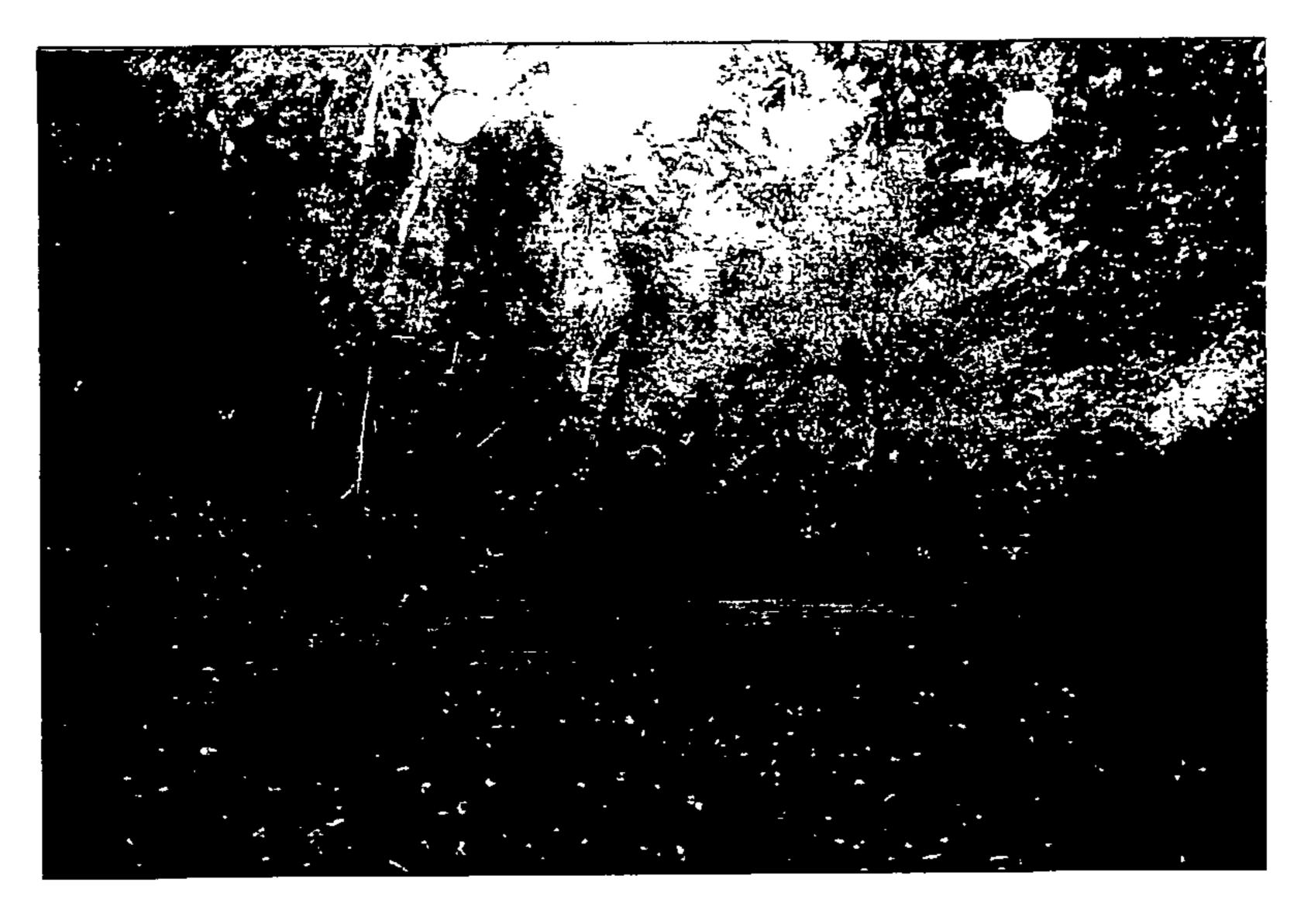
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Exhibit Sheet

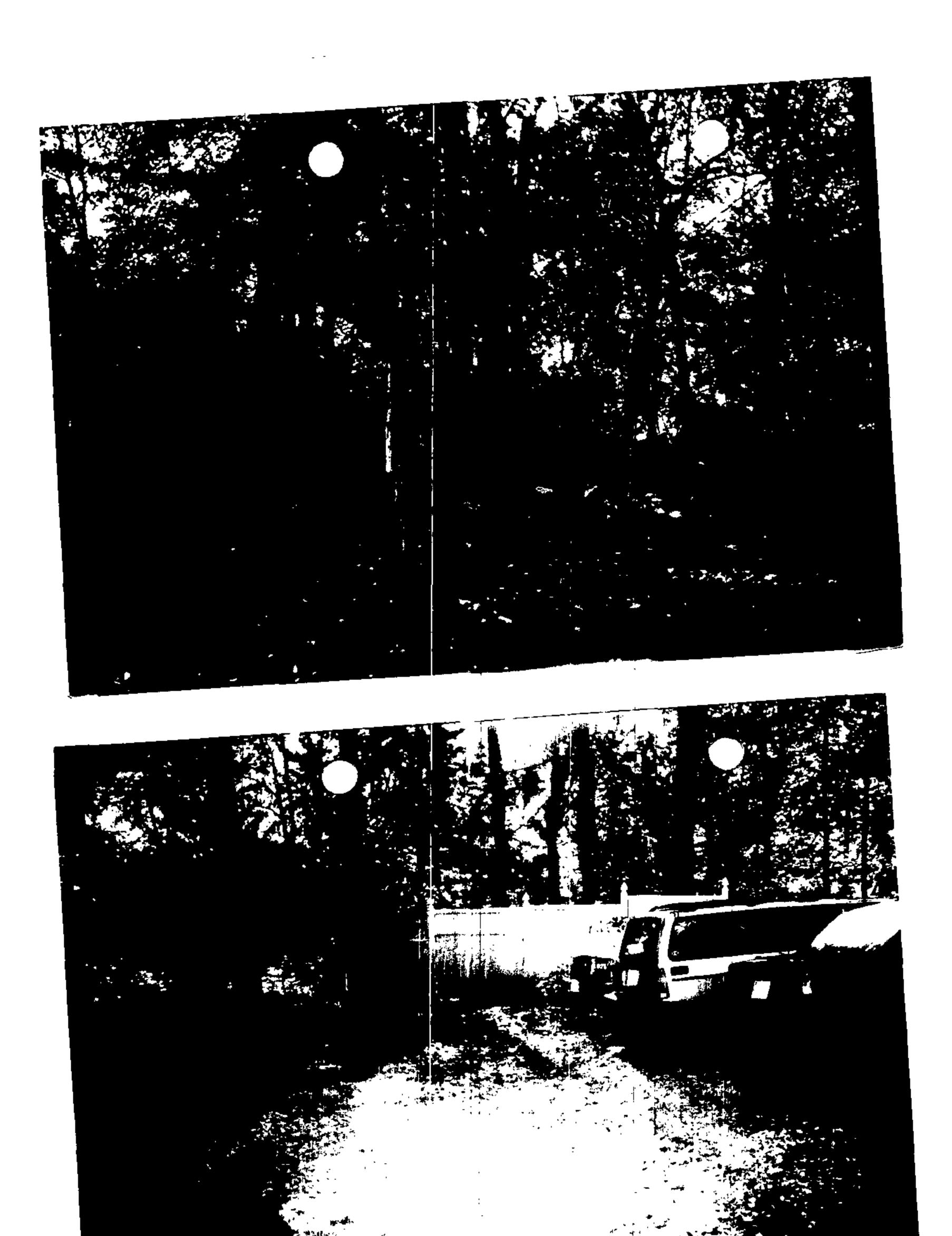
Petitioner/Developer

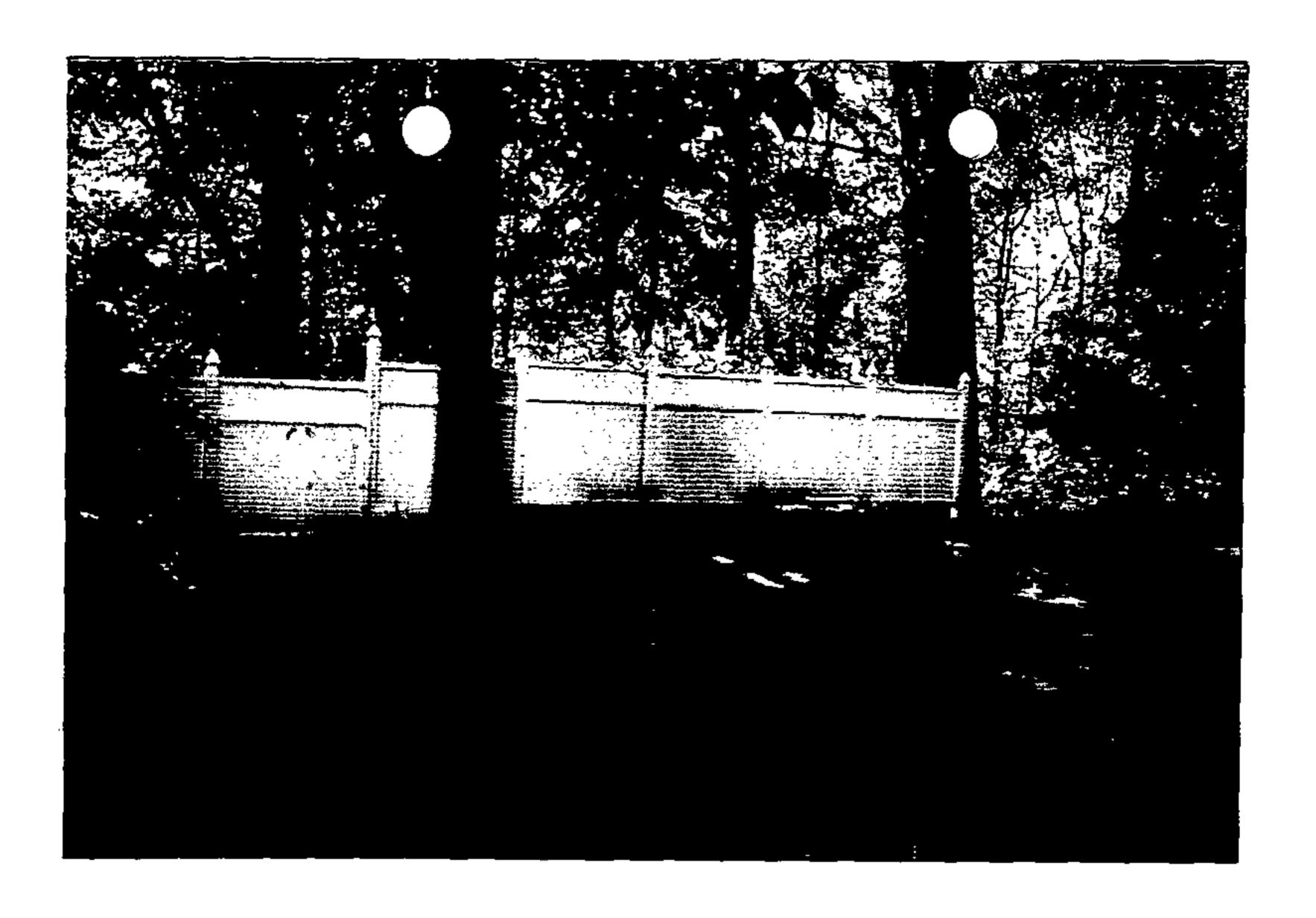
Protestant

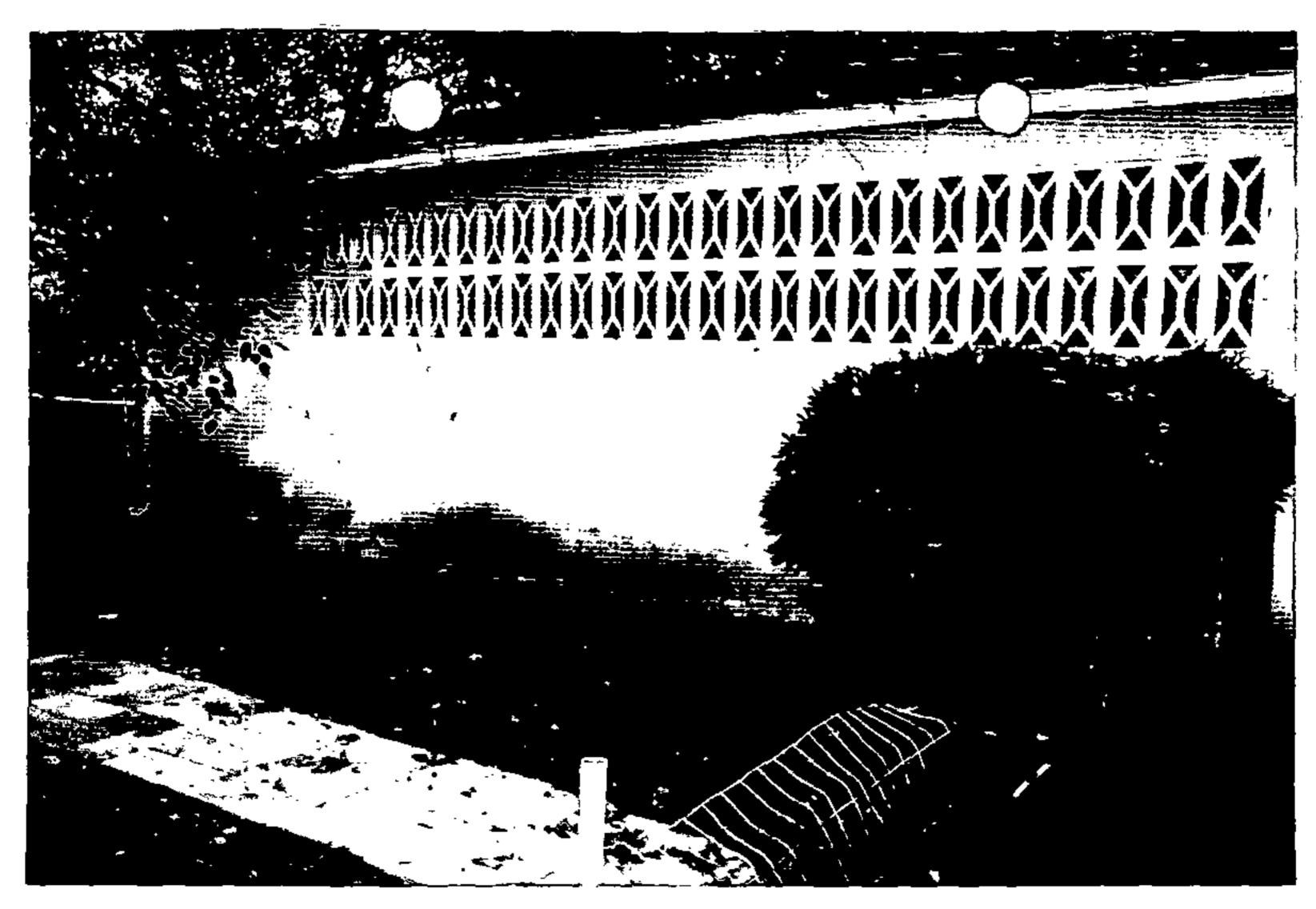
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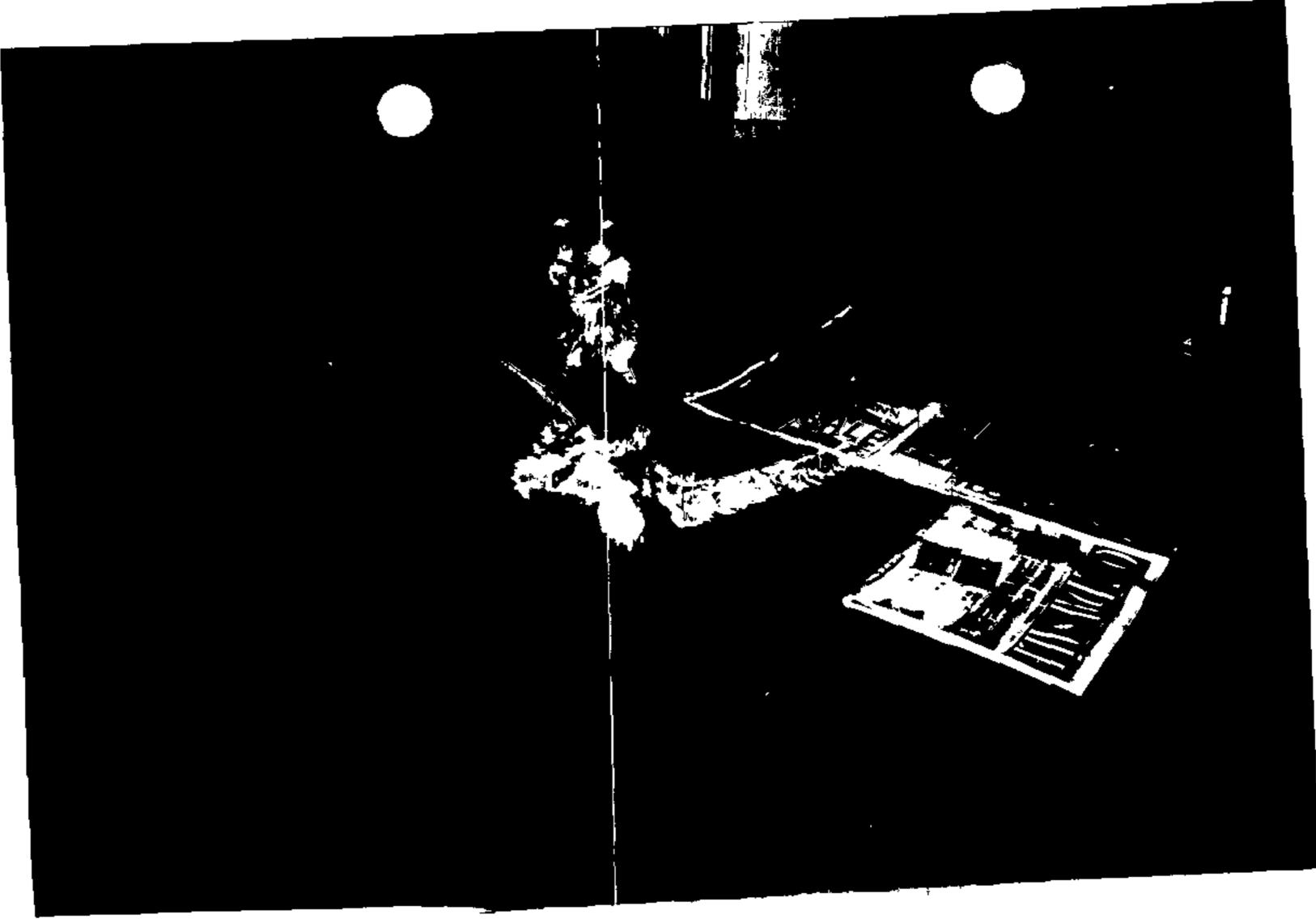


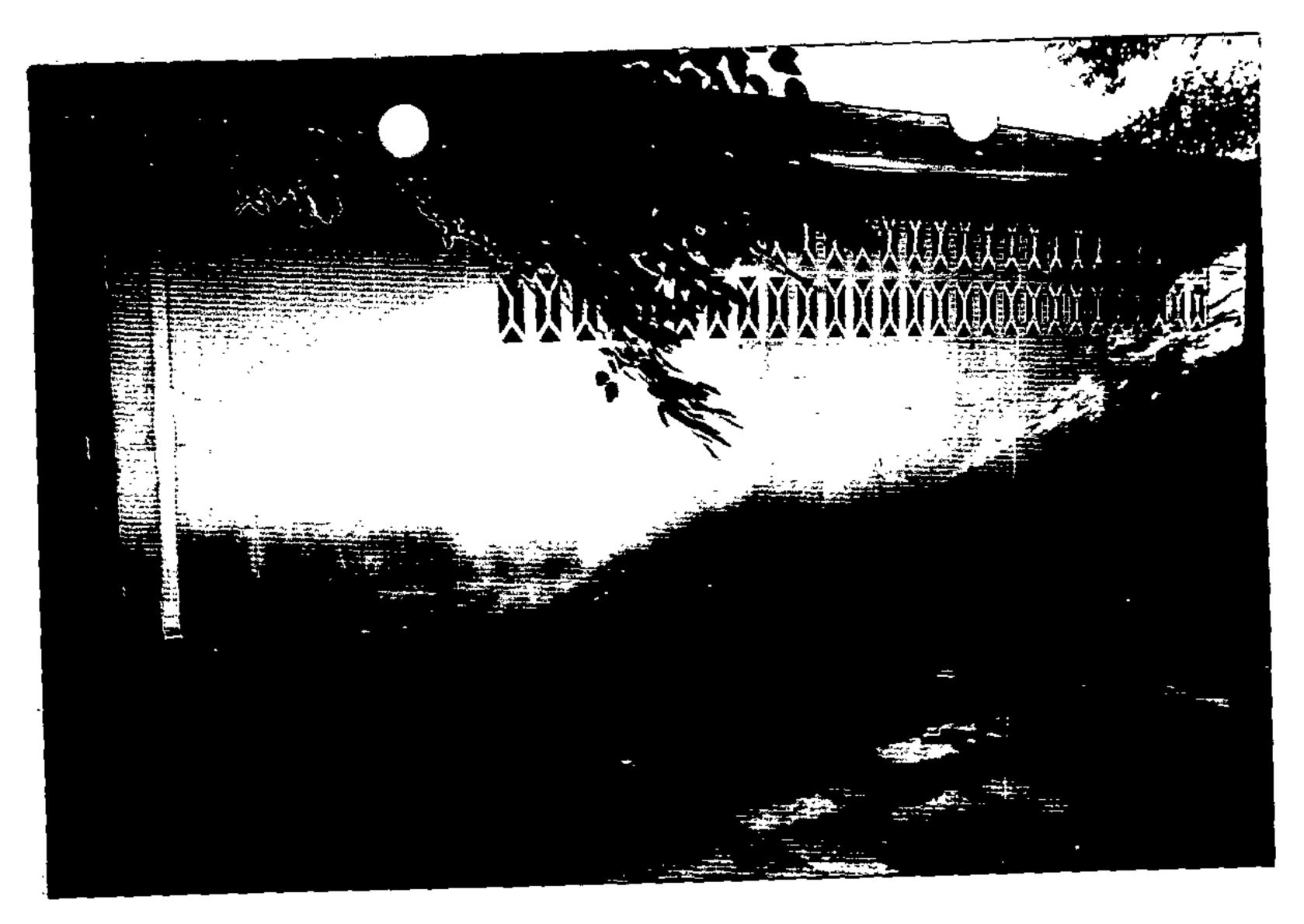
















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