

IN RE: PETITION FOR SPECIAL HEARING

NE side of Sharon Drive, 746 feet SE of
Camp Cone Road (aka Sharon Drive).
11th Election District
3rd Councilmanic District
(5630 Sharon Drive)

Randy G. and Joan M. Twining
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-401-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Randy G. and Joan M. Twining, the legal property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for an amendment to the site plan and order in Zoning Case No. 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring. The subject property and requested relief are more fully described on the site plan of February 2008 which was marked and accepted into evidence as Petitioners' Exhibit 1, and superceded by the revised site plan of March 2008 which was marked and accepted into evidence as Petitioners' Exhibit 2.

Appearing at the requisite public hearing in support of the requested special hearing were Petitioners Randy and Joan Twining, and their consultant, J. Scott Dallas, with J.S. Dallas, Inc., the licensed property line surveyor who prepared the site plan. Also appearing in support of the requested relief was Joanne Maits and her daughter, Larissa, of 31 Glen Alpine Road in Phoenix, MD. Appearing as an interested citizen was a nearby neighbor, Theresa Norton, of 5622 Sharon Drive.

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Testimony and evidence offered revealed that the subject property contains 12.299 acres zoned R.C.2. As depicted on the revised site plan, the property is located on the northeast side of Sharon Drive, southeast of Harford Road and adjacent to the Gunpowder Falls State Park in the Glen Arm area of Baltimore County. The property is improved with Petitioners' existing one-story wood-sided dwelling with a macadam driveway leading from Sharon Drive to a large parking pad located next to the dwelling. A septic reserve area is located northeast of the dwelling. There is also an existing wood-sided stable and office located on the property with a gravel driveway leading to this structure from Sharon Drive. North of the stable is an existing oval riding ring. An existing gravel pad measuring approximately 60 feet wide by 120 feet deep is located between the macadam driveway that leads to the dwelling and the gravel driveway leading to the stable and riding ring.

Although the property has substantial acreage, it also has a number of site constraints that limit the location and placement of improvements. These include drainage, floodplain, and forest buffer easements that occupy approximately one-third of the rear of the property, a drainage and utility easement along the northwest side of the property, and significant topographical slopes throughout the property.

Petitioner Joan Twining indicated that her husband has lived on the subject property all his life and that his family's farm is located on the adjacent parcel. In 1997, Petitioners decided to operate a riding stable and offer a therapeutic riding program for children with developmental disabilities. That special exception matter is reflected in Case No. 97-311-X. It was proposed then that the program would not be open to the general public, but would be utilized specifically for therapeutic purposes. At that time, Petitioners also proposed to build a 36 foot by 72 foot barn for up to five horses that would be owned by Petitioners. In an Order dated March 17, 1997,

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then-Deputy Zoning Commissioner Timothy M. Kotroco granted the special exception use for the riding center and stable.

Moving to the present, Mrs. Twining indicated she currently operates the Rose of Sharon Equestrian School which includes the therapeutic riding center and horsemanship programs for children with disabilities. Mrs. Twining explained that she is a former special education teacher who understands the needs of children with disabilities and has been able to combine this understanding with equine-assisted activities. Since 2001, her school has provided riding and horsemanship opportunities. The stable -- which has room for five horses -- currently has three horses; however, it should be noted that the stable is not for use as a boarding facility for horses.

There are typically 30 lesson slots per week running six days per week with programs in the morning and afternoon. The stables are licensed by the State for general use and instruction. In addition, the school is guided by the standards set forth by the North American Riding for the Handicapped Association (NARHA). According to its website, NARHA is an umbrella organization that since 1969 "has provided Equine Assisted Activity and Therapy (EAAT) programs in the United States and Canada through its network of nearly 800 member centers. Each year, dozens of new centers initiate new programs and more than 38,000 individuals with disabilities benefit from activities which include therapeutic riding, hippotherapy, equine assisted psychotherapy, driving, interactive vaulting, and competition." Mrs. Twining indicated that she is certified by the Maryland Department of the Environment and by the NARHA as an instructor.

Because of the outdoor nature of the program, equine instruction takes place only when weather permits, which usually is between April and October. During the winter months, there are very few therapeutic riding programs due to the cold weather. In order to alleviate this problem and be able to provide students with year-round riding and horsemanship opportunities, Petitioners

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propose to erect a building that would enclose the existing 60 foot by 120 foot gravel pad. Petitioners also propose to extend the building by an additional 20 feet (for a total of 140 feet) for office and storage space. In order to do so, Petitioners request special hearing relief to amend the site plan and Order from the previous zoning case to reflect the proposed new building, as well as to continue using the existing outdoor riding ring. The indoor riding arena would permit the therapeutic riding program to go on year round, thereby allowing participants to attain the benefits of the program continuously throughout the year, rather than just in the warmer months.

In support of the special hearing request, Petitioners presented a letter supporting Petitioners' plan to erect an indoor riding arena, signed by several nearby property owners that was marked and accepted into evidence as Petitioners' Exhibit 3. Interestingly, the letter was signed by several of Petitioners' relatives who also happen to live close by, as well as the nearest adjacent property owners, Kenneth and Helen Kadlec. Marked and accepted into evidence as Petitioners' Exhibit 4 is a rendering of the proposed indoor riding arena and the existing stable. The arena is planned as a one-story structure with a sloped roof that would cover the existing gravel pad. It would have a similar appearance and be constructed of comparable materials as the existing dwelling and stable.

In further support of the requested relief, Mrs. Twining submitted a brochure outlining the therapeutic riding programs, a document that lists the benefits of therapeutic riding and horsemanship programs, and a document that lists the disabilities served at the riding center. These documents were marked and accepted into evidence as Petitioners' Exhibits 5, 6, and 7, respectively. In particular, Petitioners' Exhibit 6 describes the physical (increased muscle strength, posture, coordination, reflexes and reactions), mental (students are stimulated and motivated by a non-traditional learning environment with enhanced focus and concentration),

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emotional, and psychological benefits of the program. In addition, Mrs. Twining submitted a document with a number of testimonials from volunteers, students, parents, and therapists that was marked and accepted into evidence as Petitioners' Exhibit 8. The testimonials express support for the therapeutic riding program and emphasize the positive results to all who participate. Finally, Petitioners submitted a copy of the previous zoning case, Case No. 97-311-X, which was marked and accepted into evidence as Petitioners' Exhibit 10.

Testifying in support of the requested relief was Joanne Maits. As indicated previously, Ms. Maits attended the hearing with her young daughter, Larissa. Ms. Maits indicated that her daughter is afflicted with Down syndrome. Down syndrome is a chromosomal disorder that is often associated with some impairment of cognitive ability and physical growth, which may include poor muscle tone and motor skills. Ms. Maits indicated that her daughter's participation in the therapeutic riding program has helped tremendously. Larissa attends once a week. The first half-hour is for grooming and caring for the horses and the balance of the session is for supervised therapeutic riding. Ms. Maits indicated that the warmth and feel of the horse, as well as the back-and-forth and up-and-down movements of the horse is a helpful aerobic, low impact activity for her daughter. Most importantly, Ms. Maits also indicated that her daughter would benefit greatly from the therapeutic riding if it was offered year round -- particularly in the winter months.

Testifying as a concerned citizen and expressing opposition to the indoor riding arena was Theresa Norton. Ms. Norton lives at 5622 Sharon Drive and has lived in her home for approximately 20 years, not far from Petitioners' property. She expressed concern about increased traffic and the increased use that a year round riding center would involve. She was also very concerned about the possibility that the use of the indoor riding arena might change over time, either through expanding the existing use as a riding center, or changing the use altogether. For

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example, Ms. Norton expressed concern in the event Petitioners' sold the property and a potential purchaser wanted to utilize the structure for storage of heavy equipment and the like, or otherwise run a business from the property and use the structure as a warehouse.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated March 25, 2008 which indicate that the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains and the Forest Conservation Regulations.

Based on the testimony and evidence presented, I am persuaded to grant the special hearing relief and approve the indoor therapeutic riding arena and office/storage area as proposed on the revised site plan. Petitioners have been operating the therapeutic riding program since 2001 and it appears the program has proven to be a great benefit to the community with very little, if any, impact. Petitioner's property is located at the end of Sharon Drive and comprises over 12 acres of farmland. There is also farmland across the street and the Gunpowder Falls State Park is located immediately adjacent to the subject property to the east. The evidence indicated there is also a Boy Scout youth camp located nearby.

In my judgment, although the indoor riding arena structure will be substantial, the impact of the size is outweighed by the purpose for which it will be used and the frequency of that use. It will be used for the rather benign purpose of therapeutic riding, and mostly during inclement and/or cold weather and in the morning and afternoon six days per week. In my view, Petitioners' plans are appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale. In order to attempt to alleviate and address my own concern and that of the interested neighbor, Ms. Norton, I will include a condition that any change in the special exception

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use granted in Case No. 97-311-X and amended herein shall necessitate a public hearing as may be required by the Baltimore County Zoning Regulations. In particular, should the use of the enclosed indoor riding arena and existing oval riding ring as a therapeutic riding center for children with disabilities be discontinued and any future attempts made to change the use of the structure, then this situation shall necessitate a public hearing unless the proposed use is specifically permitted as of right by these regulations.

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 parties, I find that Petitioners' request for special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 26th day of June, 2008 that Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for an amendment to the site plan and order in Zoning Case No. 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring as depicted on the revised site plan marked and accepted into evidence as Petitioners' Exhibit 2 is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. Petitioners may apply for permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
3. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

~~ORDER REVERSED FOR FILING~~

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~~ms~~

4. Any approval conditions of the Minor Subdivision completed in 2000 must be met in the development of the arena and riding ring.
5. Any future change in the special exception use granted in Case No. 97-311-X and amended herein shall necessitate a public hearing as may be required by the Baltimore County Zoning Regulations. In particular, should the use of the enclosed indoor riding arena and existing oval riding ring as a therapeutic riding center for children with disabilities be discontinued and any future attempts made to change the use of the structure or oval riding ring, then this situation shall necessitate a public hearing unless the proposed use is specifically permitted as of right by these regulations.

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



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

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BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 26, 2008

RANDY G. AND JOAN M. TWINING
5630 SHARON DRIVE
GLEN ARM MD 21057

Re: Petition for Special Hearing
Case No. 08-0401-SPH
Property: 5630 Sharon Drive

Dear Mr. and Mrs. Twining:

Enclosed please find the decision rendered in the above-captioned case.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: J. Scott Dallas, PO Box 26, Baldwin MD 21013
Joanne Maitis, 31 Glen Alpine Road, Phoenix MD 21131



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #5630 Sharon Drive
which is presently zoned R.C.2

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
(This box to be completed by planner)

an amendment to the site plan and order in Zoning Case # 97-311X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Randy G. Twining
Name - Type or Print _____
Signature Randy G. Twining
Joan M. Twining
Name - Type or Print _____
Signature Joan M. Twining
5630 Sharon Drive 410-592-8875
Address Telephone No.
Glen Arm MD 21057
City State Zip Code

Representative to be Contacted:

J. Scott Dallas
Name _____
P.O. Box 26 410-817-4600
Address Telephone No.
Baldwin MD 21013
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 08-401-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING _____

Reviewed By JUP Date 2/28/08

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6-26-08

PM

P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

ZONING DESCRIPTION #5630 SHARON DRIVE

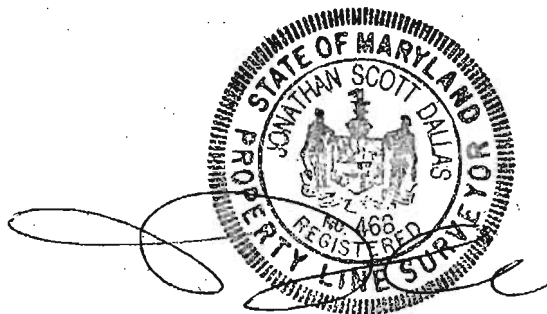
BEGINNING for the same at a point on the northeast side of Sharon Drive, at the distance of 746± southeast of the southeast side of Camp Cone Road, 50' wide (also known as Sharon Drive on the plat of "Sharon Manor" recorded among the land records of Baltimore County in plat book 42 page 139), thence leaving the north side of Sharon Drive and running the six following courses and distances: **(1) North 48 degrees 31 minutes 25 seconds East 208.19 feet (2) North 51 degrees 53 minutes 47 seconds West 208.00 feet (3) North 48 degrees 31 minutes 25 seconds East 656.90 (4) South 28 degrees 28 minutes 27 seconds East 768.66 feet (5) South 36 degrees 13 minutes 03 seconds West 568.63 feet (6) North 51 degrees 38 minutes 18 seconds West 676.18 feet** to intersect the southeastern terminus of said Sharon Drive thence running with and binding on said southeastern terminus of Sharon Road **(7) North 48 degrees 31 minutes 25 seconds East 20.34 minutes East** to the place of beginning.

CONTAINING 535724 square feet or 12.299 acres of land, more or less.

ALSO KNOWN AS #5630 Sharon Drive and located in the 11th Election District, 3^d Councilmanic District.

BEING all of that parcel of land which by deed dated October 25, 1990 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8634 folio 531 etc. was conveyed by Lillian L. Twining and others to Randy G. Twining.

Note: above description is for zoning purposes only.



08-401-SPH

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: # 08-401-SPH

5630 Sharon Drive

N/east side of Sharon Drive, 746 feet s/east of Camp Cone Road (aka Sharon Drive)

11th Election District - 3rd Councilmanic District

Legal Owner(s): Randy & Joan Twining

Special Hearing: for an amendment to the site plan and order in Zoning Case 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring.

Hearing: Wednesday, May 7, 2008 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake 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 4/22 Apr. 22

170886

CERTIFICATE OF PUBLICATION

4/24/, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/22/, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No.

0013

Date:

3-18-08

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				1.00

Total:

Rec

From:

J.S. Dallas

For:

Revised Plans 08-401 SPH
3630 Sharon Dr.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 04/22/08

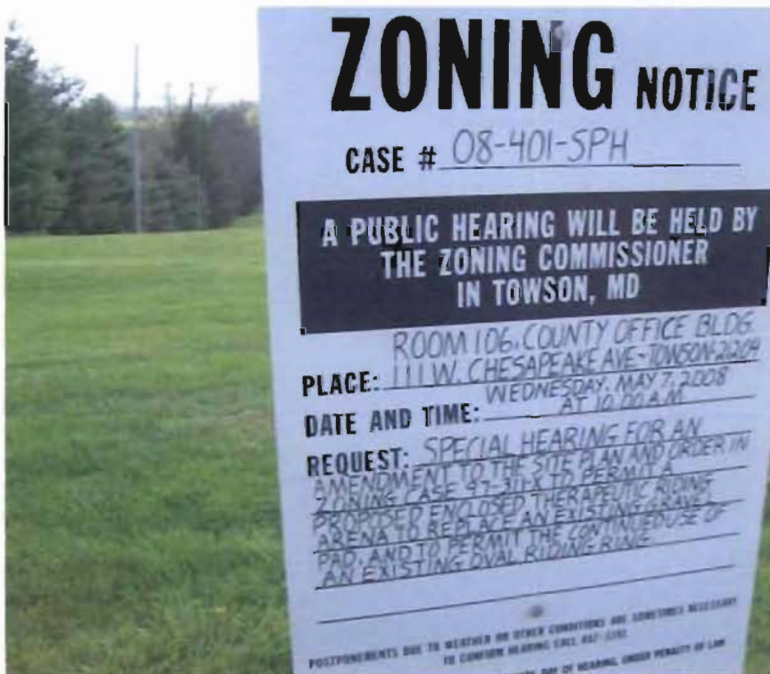
Case Number: 08-401-SPH

Petitioner / Developer: RANDY & JOAN TWINING~J.S.DALLAS, INC.

Date of Hearing (Closing) MAY 7, 2008

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
5630 SHARON DRIVE

The sign(s) were posted on: 04/22/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-401-SPH
Petitioner: Randy & Joan Twining
Address or Location: 5630 Sharon Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Randy Twining
Address: 5630 Sharon Drive
Glen Arm, MD. 21057

Telephone Number: 410. 592. 8875

Revised 2/20/98 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 17, 2008
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 08-401-SPH

5630 Sharon Drive

N/east side of Sharon Drive, 746 feet s/east of Camp Cone Road (aka Sharon Drive)

11th Election District – 3rd Councilmanic District

Legal Owners: Randy & Joan Twining

Special Hearing for an amendment to the site plan and order in Zoning Case 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring.

Hearing: Wednesday, May 7, 2008 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Randy & Joan Twining, 5630 Sharon Drive, Glen Arm 21057
J. Scott Dallas, P.O. Box 26, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 22, 2008.**
- (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, April 22, 2008 Issue - Jeffersonian

Please forward billing to:
Randy Twining
5630 Sharon Drive
Glen Arm, MD 21057

410-592-8875

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: 08-401-SPH

5630 Sharon Drive

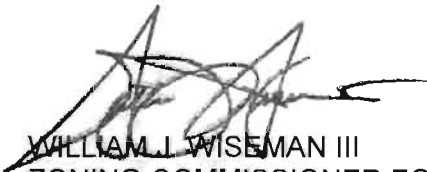
N/east side of Sharon Drive, 746 feet s/east of Camp Cone Road (aka Sharon Drive)

11th Election District – 3rd Councilmanic District

Legal Owners: Randy & Joan Twining

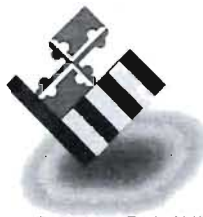
Special Hearing for an amendment to the site plan and order in Zoning Case 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring.

Hearing: Wednesday, May 7, 2008 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake 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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

April 30, 2008

Randy G. Twining
Joan M. Twining
5630 Sharon Drive
Glen Arm, MD 21057

Dear Mr. and Mrs. Twining:

RE: Case Number: 08-401-SPH, 5630 Sharon Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 28, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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
J. Scott Dallas P.O. Box 26 Baldwin 21013

BW 517
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 24, 2008

RECEIVED
APR 01 2008

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

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-401- Special Hearing**

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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

Candis Murray

Division Chief:

Lynne L. L. L.

CM/LL

BW 517
10 am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
MAR 25 2008
BY: _____

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: March 25, 2008

SUBJECT: Zoning Item # 08-401-SPH
Address 5630 Sharon Drive
(Twining Property)

Zoning Advisory Committee Meeting of March 10, 2008

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

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Any approval conditions of the minor subdivision completed in 2000 must be met in the development of the arena and riding ring.

Reviewer: Glenn Shaffer

Date: March 17, 2008

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

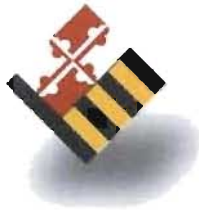
DATE: April 1, 2008

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 31, 2008
Item Nos. 08-401, 418, 419, 420, 421, 422,
426, 427, 428, 429, 430, 431, 432, 433, 434,
435, 438, 439, and 440

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-03282008.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 12, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 10, 2008

Item Number: 401,402,408

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 10, 2008

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

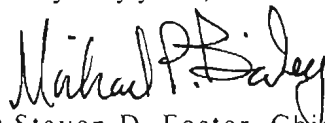
RE: Baltimore County
Item No. 8-401-SPH
5630 SHARON DRIVE
TWINING PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-401-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 24, 2008

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

RE: Baltimore County
Item No. 8-401-SPH
5680 SHARON DRIVE
TWINING PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-401-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Fos¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

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

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: March 13, 2008

FROM: ^{DMK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 17 2008
Item Nos. 08-371, 400, 401, 402, 403, 404,
405, 406, 408, 409, 410, 411, 412, 413, 414,
416, and 417

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-03132008.doc

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
5630 Sharon Drive; NE/S Sharon Drive, *
746' SE Camp Cone Road (AKA Sharon Dr)* ZONING COMMISSIONER
11th Election & 3rd Councilmanic Districts *
Legal Owner(s): Randy & Joan Twining * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 08-401-SPH

* * * * *

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.

RECEIVED

12 11 2008

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to J. Scott Dallas, P.O. Box 26, Baldwin, MD 21013, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

February 12, 2009

J. Scott Dallas
J.S. Dallas, Inc.
P.O. Box 26
Baldwin, MD 21013

Re: Spirit & Intent; case # 08-401-SPH; 5630 Sharon Drive; 11th Election District

Dear Mr. Dallas:

Your recent letter to this office regarding the above referenced property was forwarded to me for reply. Based upon the information provided and my review of the applicable zoning case and the site plans submitted, the following has been determined.

The proposed enlarged arena as shown on your recent plan dated January 8, 2009 and submitted with your letter dated January 27, 2009 is not within the Spirit and Intent of the subject case. As part of the Deputy Zoning Commissioner's order, condition #5 specifically states "Any future change in the special exception use granted in Case No. 97-311-X and amended herein shall necessitate a public hearing as may be required by the Baltimore County Zoning Regulations."

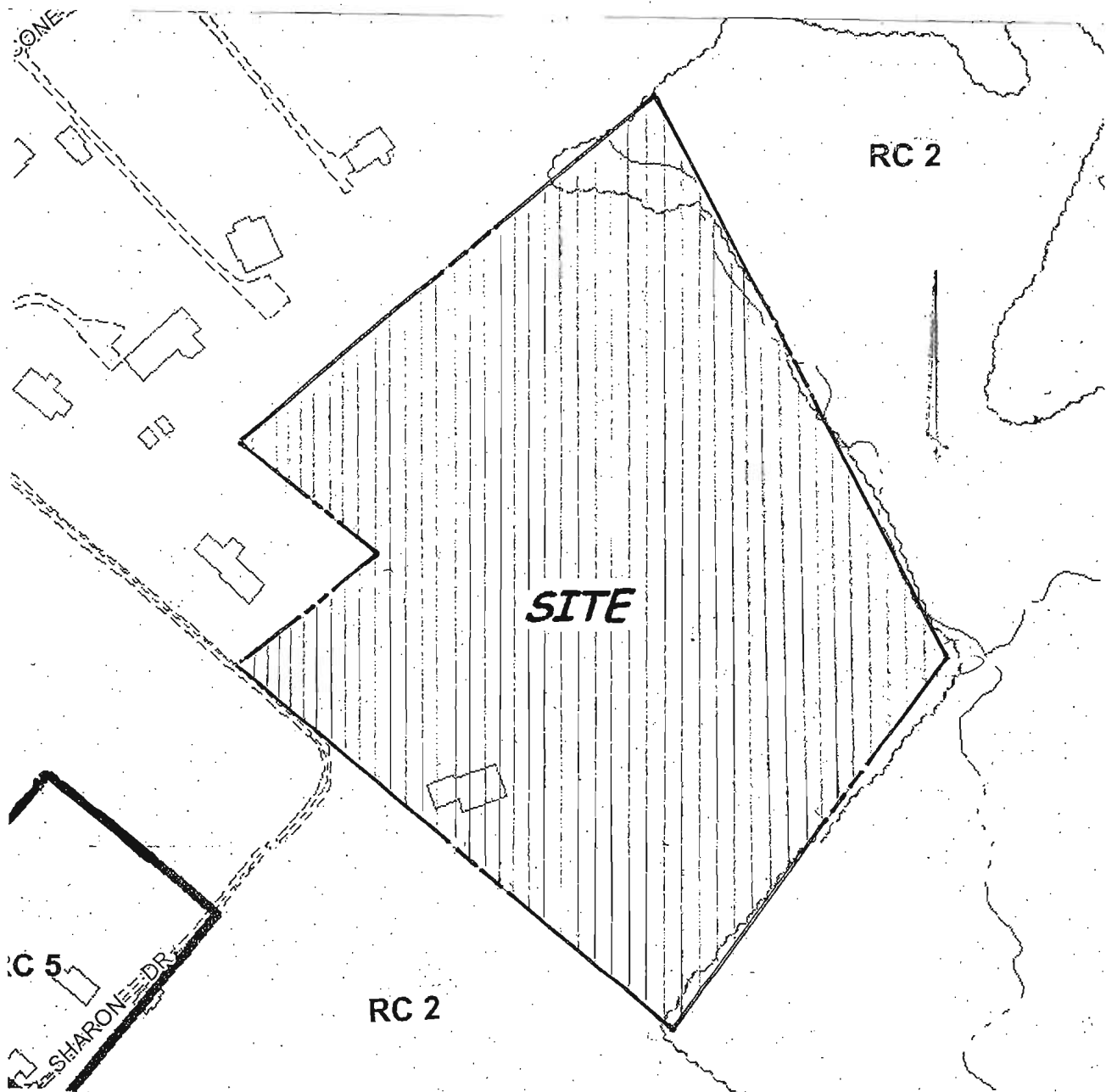
The foregoing is merely an informal opinion, it is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, I can be reached at 410-887-3391.

Sincerely,

Bruno Rudaitis
Zoning Review

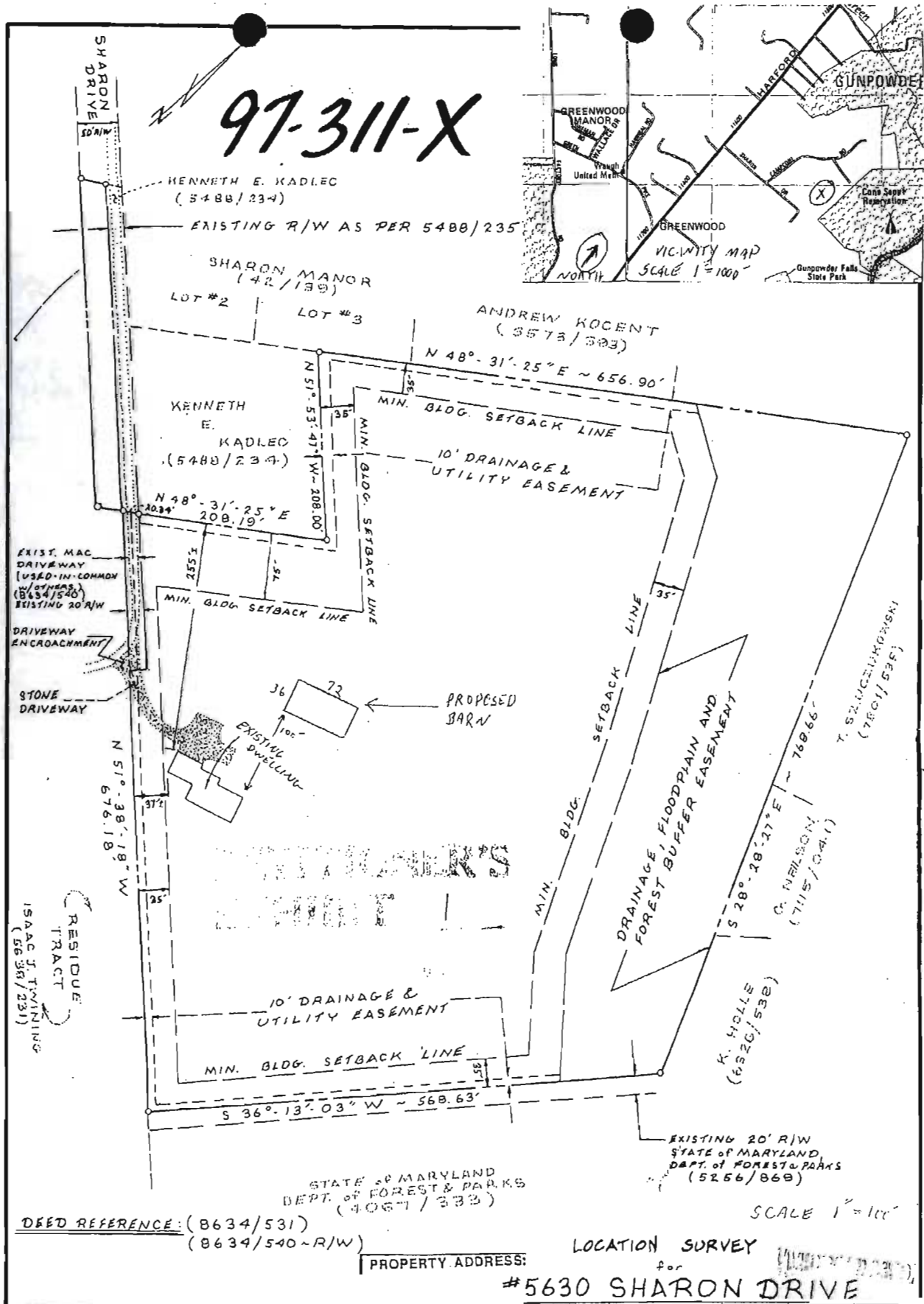
BR:br



ZONING MAP 1"=200'
(B.C.O.P.Z. MAP NO. 063A1 & 063A2)

#5630 SHARON DRIVE

08-401-SPH



Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

LOCATION INFORMATION

Election District: L1

Councilmanic District: 5

1"-200" scale map#: NE-13G

Zoning: RC-2

Lot size: 12.299
acreage

SEWER: ☐ public ☒ private

WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: None

plat book # 8634, folio # 53, lot # L, section # N/A

OWNER: Bruce G. & Jean Marie Twining

Zoning Office USE ONLY

reviewed by: Jim ITEM #: 311 CASE#:

REVISED

PLAN

08-401-SPH

DISTRIBUTED 3/24/08

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 08-401-SPH

DATE 5-7-08

CITIZEN'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

Theresa Norton

5622 Sharon Drive

Glen Arm, MD 21057

theresa_norton@hotmail.com

Case No.:

08-401-5PH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	<i>site plan</i>	
No. 2	<i>revised site plan</i>	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

To whom it may concern:

I have reviewed the Site Plan to Accompany Petition for Special Hearing- #5630 Sharon Drive and am aware of Mr. and Mrs. Twining's plans to erect a new Riding Arena near the northwest corner of their property. I am not opposed to their plans and feel that the Riding Arena should be permitted.

Ida Thompson / Roland Twining 11571 Harford Rd Glen Arm, Md
 Name Address
Ida Thompson / Roland Twining 5/1/08
 Signature Date

KENNETH E. KADLEC 5626 Sharon Dr.
 Name Address
Kenneth E Kadlec 02 May '2008
 Signature Date

Helen Kadlec 5626 Sharon Dr.
 Name Address
Helen Kadlec May 2, '08
 Signature Date

I. John Twining III 3629 Sharon Dr.
 Name Address
Isaac John Twining III May 7 - 08
 Signature Date

PETITIONER'S

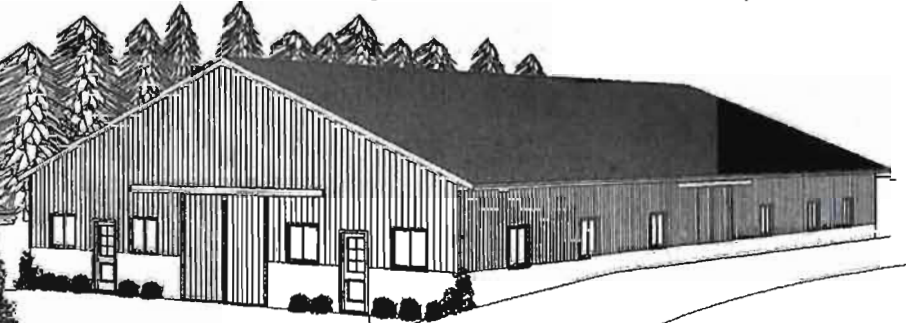
EXHIBIT NO.

3

Existing Accessible Stable



Future Indoor Riding Arena, Classroom & Office Space



Rose of Sharon Equestrian School's

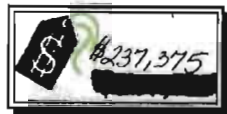
Proposed Indoor Riding Arena

More students served by:

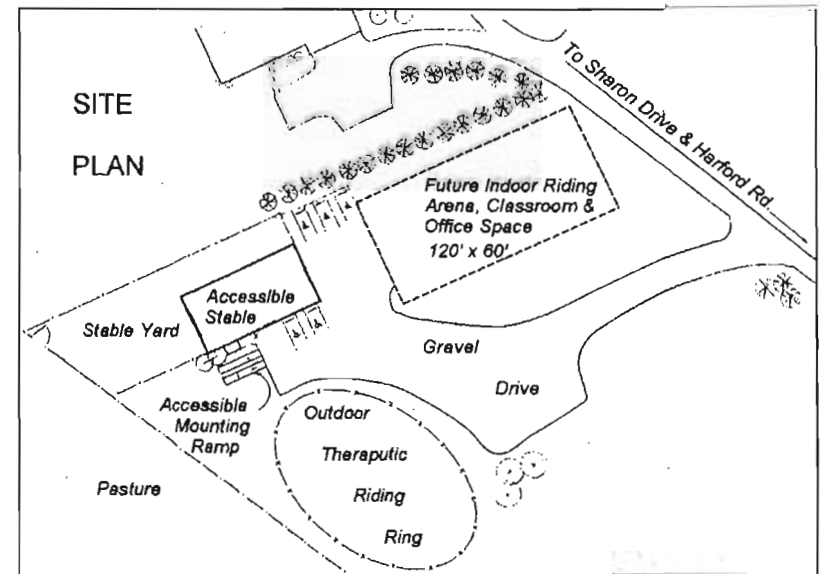
- Increasing evening lesson availability
- Decreasing weather-related cancellations

More funds generated by:

- Holding fund-raising events on the premises
- Opening facility space to the community



"...part of our plan for a sustainable future..."



PETITIONER'S

EXHIBIT NO.

4

Benefits of Therapeutic Riding and Horsemanship Programs

Physical:

Increases fitness by developing core strength, flexibility, and balance. Normalizes overall muscle strength and tone. Improves posture, body awareness, and coordination. Works on dexterity, grasp, symmetrical and independent hand use. Horse's body motion and warmth massage rider's muscles so they can relax and stretch. The three dimensional, side-to-side, up-and-down, back-and-forth movement of the horse at the walk stimulate and challenge the rider's reflexes, reactions, and sense of rhythm. Riding is a low level aerobic activity which can also benefit respiration and circulation.

Mental:

Students are stimulated and highly motivated by non-traditional learning environment of the stable so that focus and concentration are enhanced leading to greater attention to detail and safety awareness. Routines of horse care and stable management provide immediate relevancy to tasks requiring comprehension of time, planning, and sequencing, as well as the importance of remembering and following specific directions. That relevancy extends to the development and use of new vocabulary. Executive functioning and spatial organization skills increase as students master concepts including: up/down, over/under, left/right, in front/behind, back/forth, before/after, take out/put away, etc. Such cognitive stimulation may lead to improved academic performance toward specific educational goals.

Emotional:

Horses are social, sensitive, communicative, and reactive animals which, under the care of humans, can become dependent, receptive, loyal, reliable, consistent companions who offer a broad canvas for the warmth of physical contact to develop without the risks usually associated with emotional involvement. They also offer a sense of sympathetic friendship which is neither critical nor judgmental. In the structured, risk-managed environment of a therapeutic program, students feel free to open themselves up to feelings of comfort and joy, hope and love, anticipation, excitement, and motivation. The more often and longer they experience these positive emotions, the greater the impact on other aspects of the students' lives. Overall sense of well-being is improved.

Social:

Bonding with the horse, developing friendships with volunteers, sharing experiences with family members, developing the ability to read and respond to social (non-verbal) cues, turn-taking with peers; all work toward improving students' successes with social interactions, interpersonal relationships, and communication skills. As riding ability develops, an empowering recreational outlet is created. As horsemanship skill set grows, levels of confidence follow.

Personal:

As the benefits of physical strength, mental ability, emotional control, and social confidence are internalized, students experience a sense of achievement. Successes can lead to greater personal responsibility for setting and meeting goals. Goals set and patiently met contribute toward building character; stronger character in turn can lead to a greater sense of independence and accomplishment. Life-skill development and health and hygiene practices can be taught by first dealing with those same issues as they arise in the course of day-to-day animal husbandry.

Psychological:

Benefits in this realm include self-confidence and esteem; self-awareness and the ability to abstract to a sense of others. Self-control leads to more opportunities to take managed risks which in turn may lead to increased courage. Any human, disabled or not, is at a physical disadvantage when compared to a horse; but mastering a horse may lessen the significance of a disability in the student's mind as he thinks of himself in terms of others. The physical demands of horsemanship may serve to further reduce a student's feelings of inferiority or helplessness due to any inactivity predicated by their disability.

PETITIONER' S

EXHIBIT NO. 6

Disabilities Served at ROSES Past and Present and Future

Angelman Syndrome
anxiety disorder
Asperger's Syndrome
attention deficit/hyper-activity disorder
autism
cerebral palsy
congenital hypotonia
developmental delay
diabetes
Down Syndrome
dysgraphia
eating disorder
emotional disorder
hearing impaired
Klinefelter's Syndrome
learning disability
mental retardation
muscular dystrophy
muscular sclerosis
near drowning
obsessive-compulsive disorder
pervasive developmental delay
post-traumatic stress disorder
Praeder-Willi Syndrome
seizure disorder
spastic diplegia
spina bifida
Tourettes Syndrome
traumatic brain injury

Students are accepted into the program contingent upon approval of attending physicians and therapists, and adherence to facility policies.
Ages range from toddlers to senior citizens.

PETITIONER'S

EXHIBIT NO.

7

Testimonials

"As a volunteer, I have had the privilege of witnessing students of all ages and abilities experience personal growth and enjoyment that comes from interacting with horses and nature. Each horse at ROSES exhibits amazing gentleness, patience, and obedience. Excitement, smiles, laughter, and pride in a job well done are all part of every riding lesson at ROSES." *Volunteer*

"[My daughter's] self-esteem has improved and I no longer hear her say, "I can't." She is proud of her abilities working with the horses and this has helped boost her self-esteem. The lessons that she has learned have carried over into her interactions with others, especially at school. This program has been a blessing to our family." *Mom*

"The unconditional love that animals can give is vitally important to the emotional well-being of a large number of my students. Many of them come from abusive and neglectful homes. The love and acceptance they receive from the horses and instructor helps in healing their bruised and broken hearts. My students always leave the farm with a sense of accomplishment." *Administrator*

"While many people with disabilities see their world getting smaller and smaller, therapeutic horseback riding is a wonderful way for them to learn new skills and become stronger as a result. I have a progressive form of muscular sclerosis and there isn't much in the way of medication that can help me very much. I feel that my legs and back are stronger than they would have been without the training I have gotten through horseback riding. Its benefits are emotional as well as physical. I'm proud to show pictures of myself on horseback. People marvel that I can ride. So do I. Without ROSES, I would feel that a part of my life is missing. And it would be" *Special Needs Rider*

"I am an occupational therapist. This summer, I had the privilege of witnessing an equine-facilitated learning experience at [ROSES]. Both professionally and personally I was excited to see the positive change the experience with the horses affected in each student...each student gained pride and increased self-confidence because of the things that each of them accomplished at your school." *Therapist*

"I am very grateful for all that you do for our son. I see him making progress every day. He looks forward to seeing the horses and the cats every week. But most of all, I think he really looks forward to seeing you!" *Mom*

"Our daughter has had hundreds of hours of therapy. Both speech and OT have been very helpful, but there was still something missing. She is very imaginative and loves animals...just watching her connect with her horse, "Izzie" by brushing and feeding her after a pleasant morning ride at the stable, makes me realize how truly special ROSES and the volunteer staff are. This is the first activity she is excited about and truly looks forward to going to. She even knows what day she sees Izzie...we're very pleased." *Mom and Dad*

"I have been around horses most of my life and I have to tell you, I would rate [the ROSES] facility as one of the best I have ever seen. How these kids with severe disabilities responded was thrilling. The excitement on their faces, the fact that they are learning what to do with an animal three times their size and can somewhat control it was amazing. Then I looked to the parents' faces. If you could have seen the sense of pride...I have volunteered in the past with Special Olympics and other volunteer organizations and have never walked away with the feeling that I did this past weekend." *Volunteer*

PETITIONER'S

EXHIBIT NO. 8

PRIOR ZONING
ORDER
#5630 SHARON
DRIVE

IN RE: PETITION FOR SPECIAL EXCEPTION
NE/S Sharon Drive, 1600' SE of
Campcone Drive
(5730 Sharon Drive)
11th Election District
5th Councilmanic District

Randy G. Twining, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-311-X
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for the property known as 5730 Sharon Drive, located in the vicinity of Harford Road and the Gunpowder Falls State Park in Glen Arm. The Petition was filed by the owners of the property, Randy G. and Joan M. Twining. The Petitioners seek a special exception for a therapeutic riding program (riding stable) on the subject site, zoned R.C. 2. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Joan M. Twining, co-owner of the subject property. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject property consists of 12.299 acres, more or less, zoned R.C. 2 and is improved with a single family dwelling. Mrs. Twining testified that her husband has lived on the property all of his life and that his family's farm is located on the adjacent parcel. Mrs. Twining testified that she is currently employed as a special education teacher in the public schools. She, her husband and her daughter, wish to operate a riding stable on the subject property and offer a therapeutic riding program to children with develop-

ORDER RECEIVED FOR FILING
Date 3/17/97
By [Signature]

PETITIONER'S

MICROFILMED

EXHIBIT NO.

10

mental disabilities. Mrs. Twining testified that the proposed use would not be open to the general public, but would be used specifically for therapeutic purposes as described above. She testified that they intend to build a 36' x 72' barn to house the horses, and that all of the horses used in the program would be owned by them. She further testified that they will have no more than 5 horses on the property. In order to proceed as proposed, a special exception is necessary.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED FOR FILING
Date 3/17/99
By [Signature]

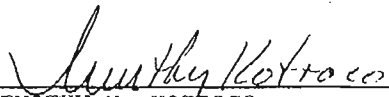
FILED 179

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of March, 1997 that the Petition for Special Exception to permit a therapeutic riding program (riding stable) on the subject property, zoned R.C. 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By



OUR MISSION

● Rose of Sharon Equestrian School is dedicated to providing equine-facilitated learning opportunities for people with disabilities.



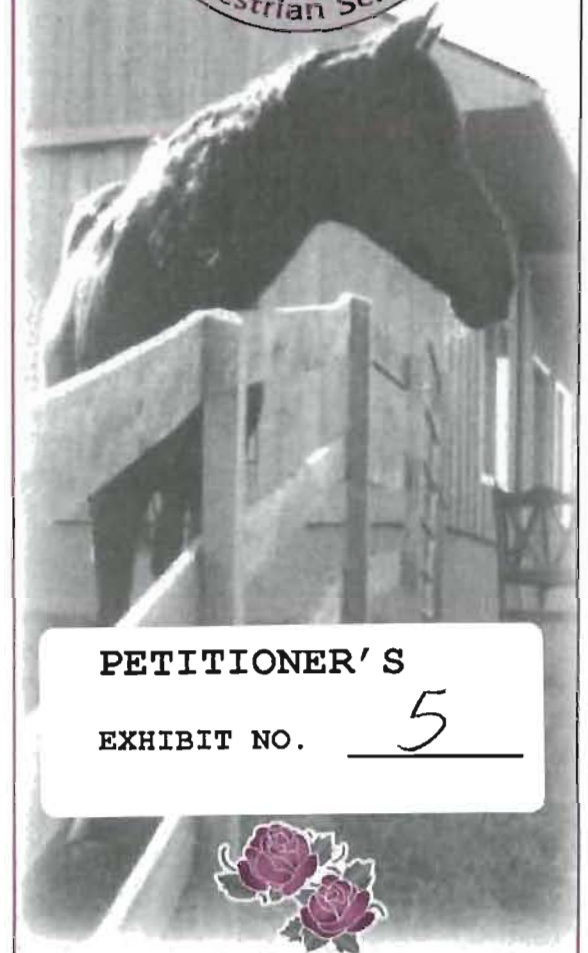
OUR VALUES

- Dignity and respect for our riders.
- Gratitude for our volunteers and humane treatment for our horses.
- Appreciation and empathy for our clients' families and caregivers.
- Quality programming and accessible, aesthetic environs.
- Advocacy for equine-assisted activities and the Maryland horse industry at-large.



CURRENT PROGRAMS

ROSES offers programs in therapeutic horsemanship for people with disabilities, volunteer opportunities for retirees, service learning projects for middle and high schoolers, remediation classes for at-risk students, and merit badge workshops for scouts. While the content of our program focuses on horses, the benefit of involvement reaches well beyond the barn. Parents and participants report positive growth in the areas of self-esteem and social interaction, emotional and psychological well-being, physical confidence and stability, as well as improvements in academic achievement and family relationships.



PETITIONER'S

EXHIBIT NO. 5



P.O. Box 156
Glen Arm, Maryland 21057
Phone: 410.592.2562 E-mail: roses@iximd.com
Joan Marie Twining, Director

CONTRIBUTION CARD

I am pleased to support the life-changing work of **Rose of Sharon Equestrian School, Inc.** with a check made payable to **ROSES**. Gifts are tax-deductible in accordance with the Internal Revenue Code.

Name: _____ Date: _____

Address: _____

Phone: (____) _____ Fax: (____) _____

E-mail: _____ Cell: (____) _____

Preferred contact method (check one) ☐ U.S. Mail ☐ Phone ☐ Fax ☐ E-mail ☐ Cell

LEVEL OF SUPPORT (please check one)

☐ Legacy (\$10,000 and up) ☐ Triple Crown (\$3,000 and up) ☐ Grand Prix (\$1,000 and up) ☐ Winner's Circle (\$500)

☐ Jockey's Club (\$100) ☐ Leg Up Contributor \$ _____ (Every little bit helps!)

Thank you for your kind support and your generous contribution!

OUR GUIDING PHILOSOPHY

Programs at **ROSES** are presented with compassion, hope, patience, and humility. Compassion comes from our deep desire to help; hope from believing our efforts will effect positive change; patience in waiting for those changes to occur in an individual's own time; and humility as we are privileged to witness changes manifesting in people's lives beyond the scope of the School.

HOW YOU CAN HELP

Consider becoming a volunteer or making a tax-deductible contribution to support the life-changing work of **Rose of Sharon Equestrian School**.



ABOUT ROSE OF SHARON EQUESTRIAN SCHOOL

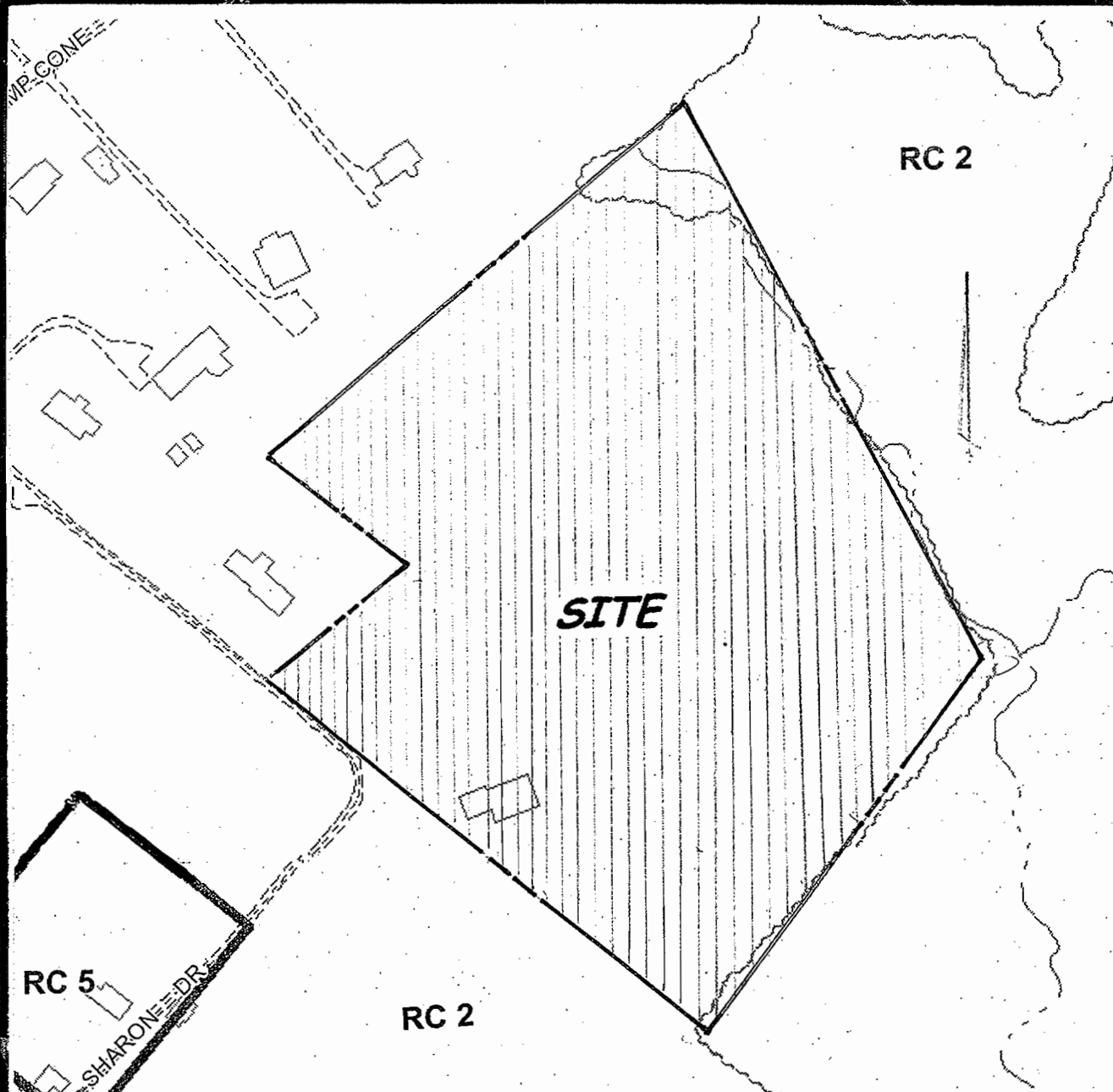


Research continues to furnish evidence that the positive interaction between humans and animals provides a wealth of therapeutic value. Upon this evidence **Rose of Sharon Equestrian School** establishes one of its guiding principles: nature is good for the mind, body, and soul. At **ROSES** we seek to deepen the human experiences to be found in the presence of nature.

The stable is located on 12 landscaped acres surrounded by verdant farmland. The property adjoins the Gunpowder State Park. Although it is situated in a rural setting, **ROSES** is located only five miles from **I695**—the Baltimore Beltway. The facility has been designed to be a place of refuge from the daily struggle often encountered when living with a disability or caring for someone who is disabled.

The School's programs address the needs of the novice and instruction is intended to develop skills in basic horsemanship and stable management. Special programs can be created to meet the requirements of an individual or an organization. The thoughtful way both the programs and the grounds have been developed serves to provide everyone involved—the students, their families and caregivers, the instructors and volunteers—an environment with the restorative potential to provide a sense of peace while there and a feeling of renewed strength after leaving.

Rose of Sharon is a non-profit organization that relies on charitable contributions, fund-raising, and minimal fees-for-service in order to operate. The stable is not a boarding facility. **ROSES** complies with standards set by the North American Riding for the Handicapped Association (NARHA). A NARHA-certified instructor conducts each session. Several un-mounted lessons will take place before a student begins to ride. Riding is contingent upon the approval of attending physicians and therapists, and adherence to facility policies.



ZONING MAP 1"=200'
(B.C.O.P.Z. MAP NO. 063A1 & 063A2)

IN RE: PETITION FOR SPECIAL EXCEPTION
NR/S Sharon Drive, 1600' SE of
Campone Drive
(5730 Sharon Drive)
11th Election District
5th Councilmanic District
Randy G. Twining, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 97-311-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



IN RE: PETITION FOR SPECIAL HEARING
NE side of Sharon Drive, 746 feet SE of
Camp Cone Road (aka Sharon Drive).
11th Election District
5th Councilmanic District
(5630 Sharon Drive)
Randy G. and Joan M. Twining
Petitioners

BEFORE THE
DEPUTY ZONING
COMMISSIONER
FOR BALTIMORE COUNTY
Case No. 08-401-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Randy G. and Joan M. Twining, the legal property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for an amendment to the site plan and order in Zoning Case No. 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring. The subject property and requested relief are more fully described on the site plan of February 2008 which was marked and accepted into evidence as Petitioners' Exhibit 1, and superseded by the revised site plan of March 2008 which was marked and accepted into evidence as Petitioners' Exhibit 2.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 26th day of June, 2008 that Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for an amendment to the site plan and order in Zoning Case No. 97-311-X to permit a proposed enclosed therapeutic riding arena to replace an existing gravel pad, and to permit the continued use of an existing oval riding ring as depicted on the revised site plan marked and accepted into evidence as Petitioners' Exhibit 2 is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

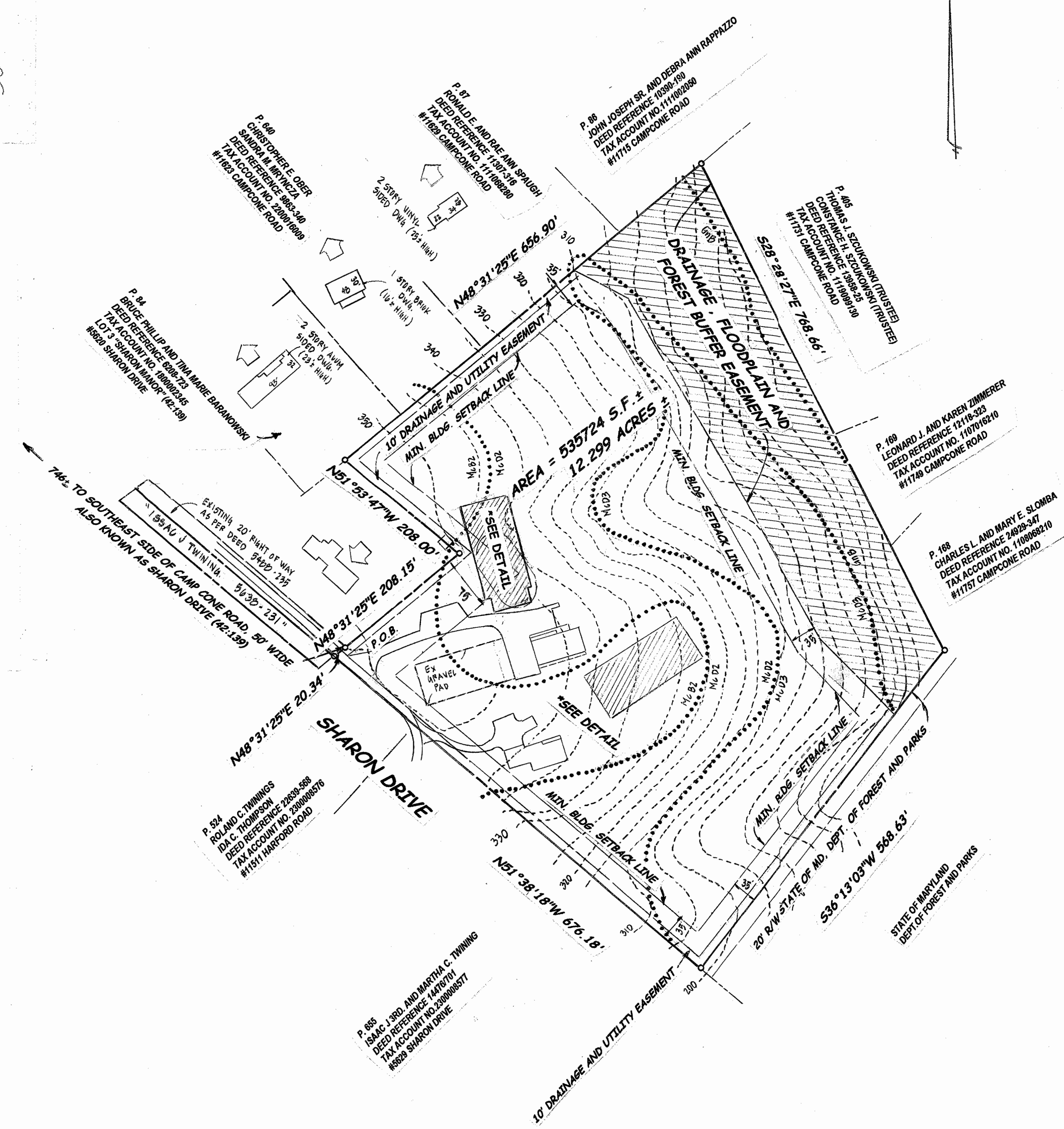
1. Petitioners may apply for permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for retaining, said property to its original condition.
2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
3. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Any approval conditions of the Minor Subdivision completed in 2000 must be met in the development of the arena and riding ring.

Any future change in the special exception use granted in Case No. 97-311-X and amended herein shall necessitate a public hearing as may be required by the Baltimore County Zoning Regulations. In particular, should the use of the enclosed indoor riding arena and existing oval riding ring as a therapeutic riding center for children with disabilities be discontinued and any future attempts made to change the use of the structure or oval riding ring, then this situation shall necessitate a public hearing unless the proposed use is specifically permitted as of right by these regulations.

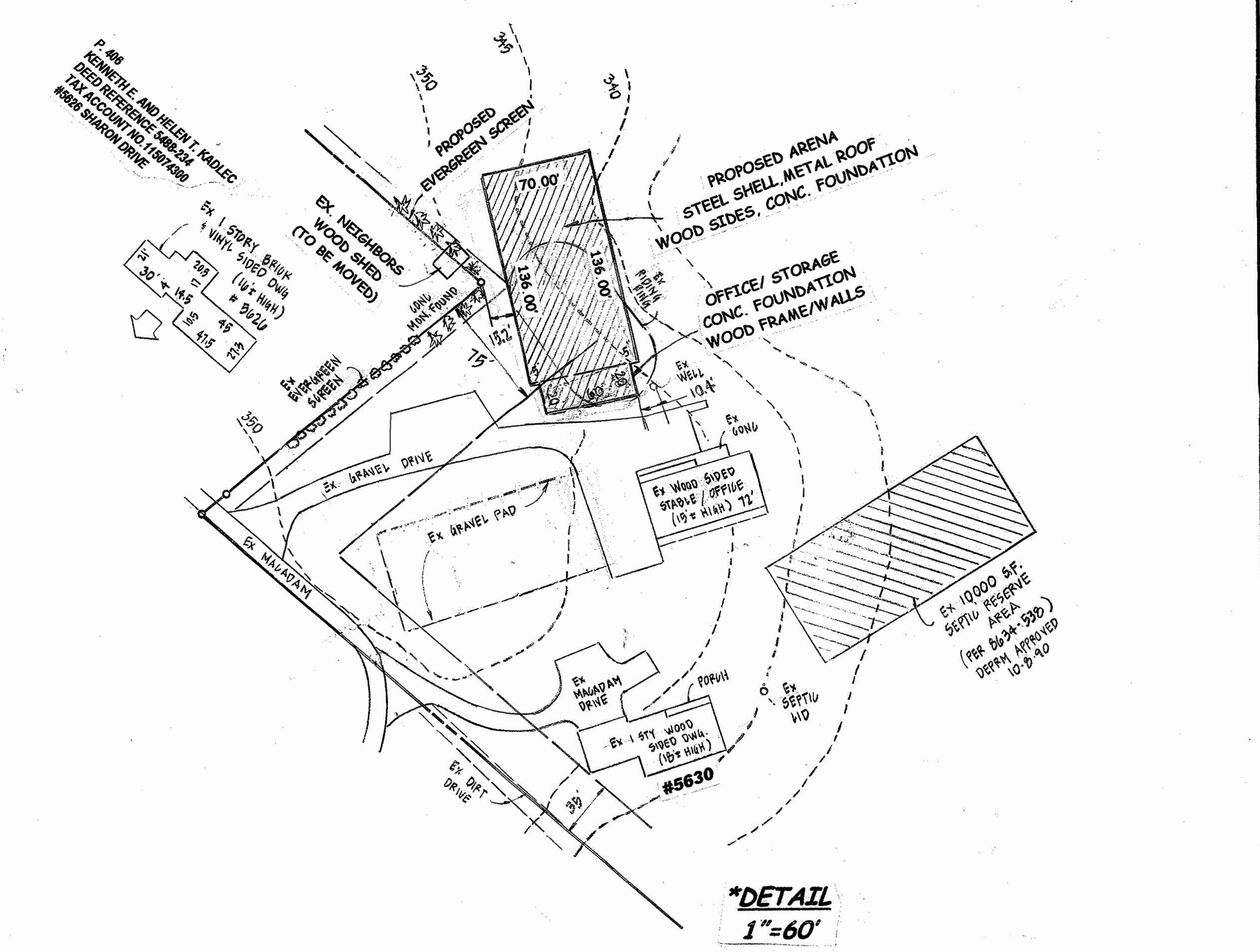
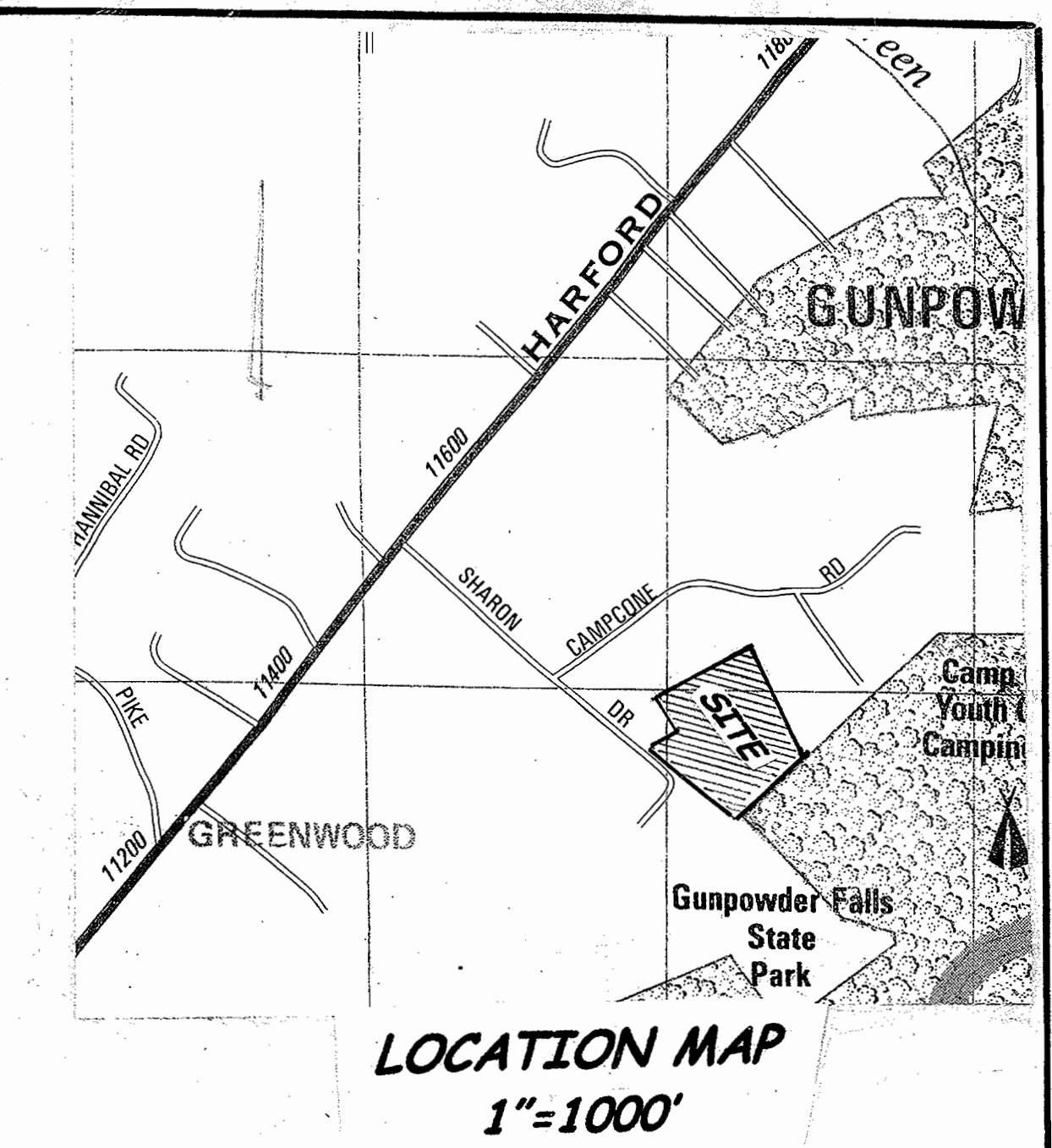
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

Thomas H. Boswick
THOMAS H. BOSWICK
Deputy Zoning Commissioner
for Baltimore County



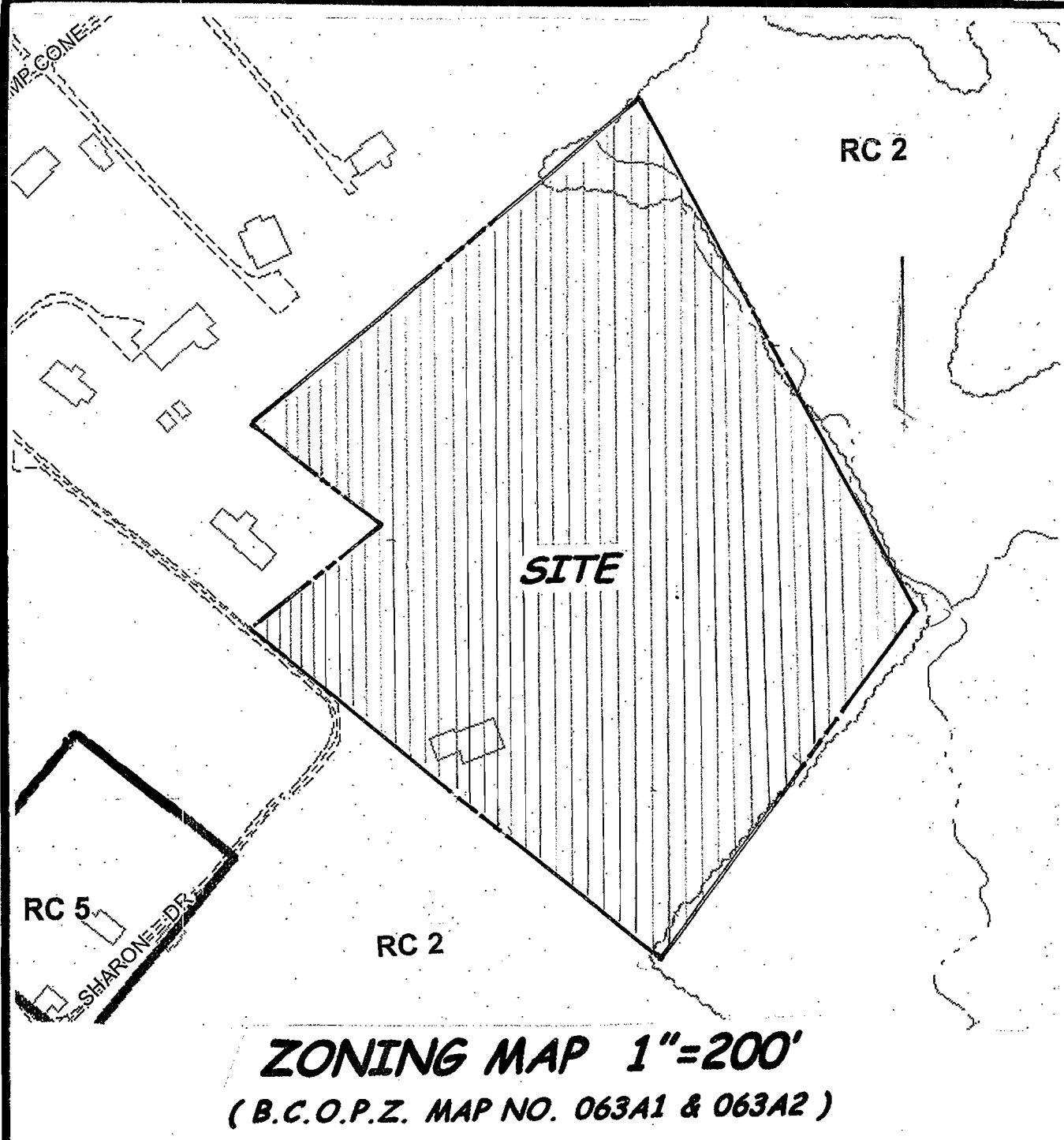
NOTES:

1. OWNERSHIP:
RANDY G. AND JOAN M. TWINING
#5630 SHARON DRIVE
GLEN ARM, MD 21057
PHONE: 410-592-8875
2. PROPERTY INFORMATION:
TAX MAP 63 GRID 8 PARCEL 628
TAX ACCOUNT NO. 2200004815
3. DEED REFERENCE : 8634-531
4. AREA OF SUBJECT PROPERTY: 12.299 (SDAT)
5. PRIVATE WELL AND SEPTIC SYSTEM.
6. SOILS, TOPOGRAPHY, 10' DRAINAGE AND UTILITY EASEMENT, MIN. BLDG. SETBACK LINE AND DRAINAGE, FLOODPLAIN AND FOREST BUFFER EASEMENT SHOWN HEREON PER LOT 1 "THE ISAAC J. TWINING PROPERTY" RECORDED IN BALTIMORE COUNTY LAND RECORDS LIBER 8634 FOLIO 538. (APPROVED BY DEPRM 10-8-90)
7. SITE IS NOT IN CBCA
8. NOT A HISTORIC DWG. OR PROPERTY.
9. EXISTING ZONING OF SITE RC2
10. PRIOR ZONING SPECIAL EXCEPTION 97-311-X (ATTACHED) APPROVED 3-17-97.
PRIOR PETITION FOR SPECIAL HEARING 08-401-SPH (ATTACHED) APPROVED 6-26-2008



***DETAIL**
1"=60'

PLAN TO ACCOMPANY SPIRIT AND INTENT REQUEST
#5630 SHARON DRIVE
11TH ELECTION DISTRICT BALTIMORE COUNTY, MD
3RD COUNCILMANIC DISTRICT
SCALE: 1"=100' JANUARY 28 2009
08-401-SPH JOB. NO. 08-1186



IN RE: PETITION FOR SPECIAL EXCEPTION
 NO. 5 Sharon Drive, 1600' SE of
 Campone Drive
 (5730 Sharon Drive)
 11th Election District
 5th Councilmanic District

* BEFORE THE
 * DEPUTY ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 97-311-X

Randy G. Twining, et ux
 Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

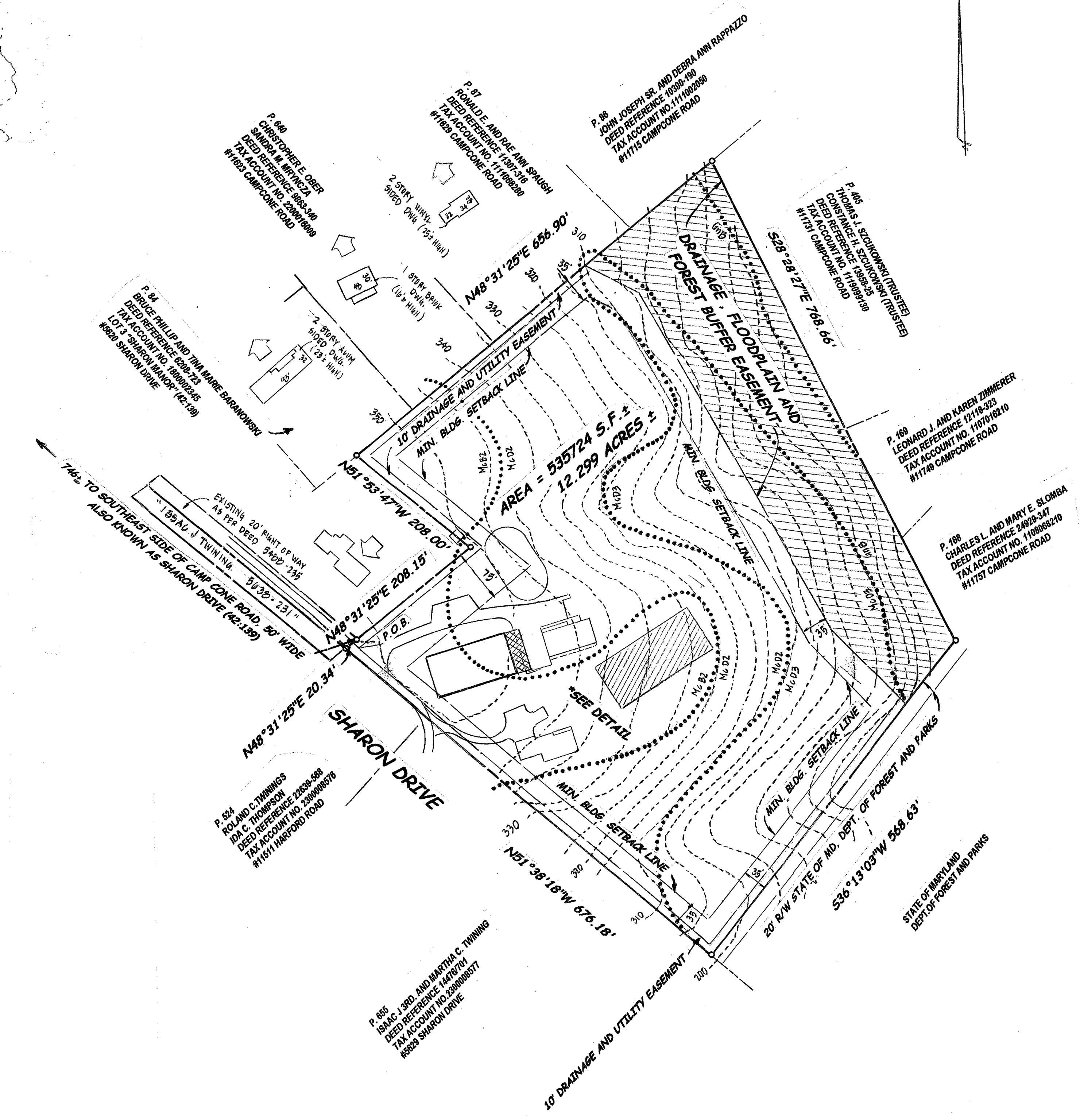
This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for the property known as 5730 Sharon Drive, located in the vicinity of Harford Road and the Gunpowder Falls State Park in Glen Arm. The Petition was filed by the owners of the property, Randy G. and Joan M. Twining. The Petitioners seek a special exception for a therapeutic riding program (riding stable) on the subject site, zoned R.C. 2. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of March, 1997 that the Petition for Special Exception to permit a therapeutic riding program (riding stable) on the subject property, zoned R.C. 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

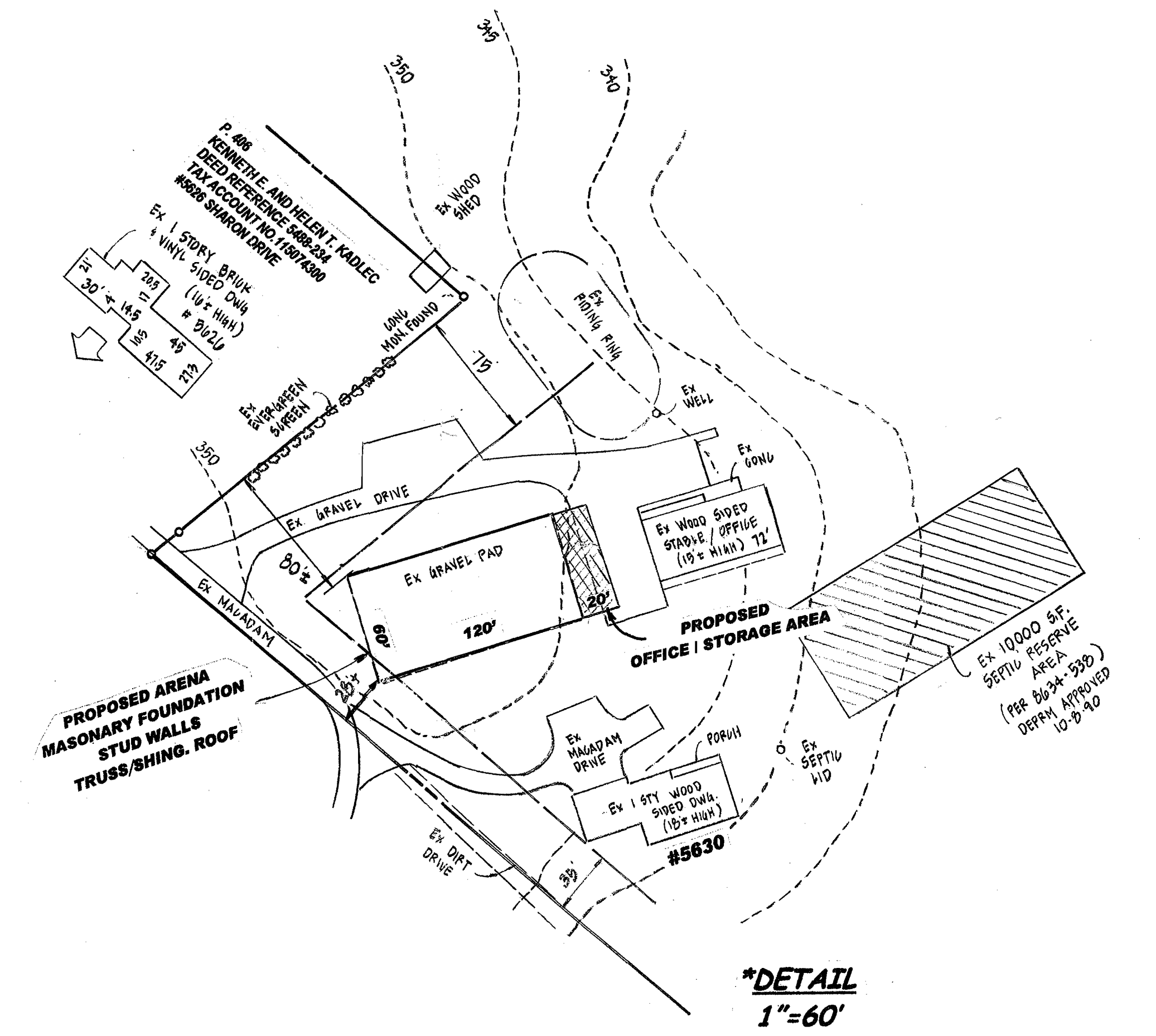
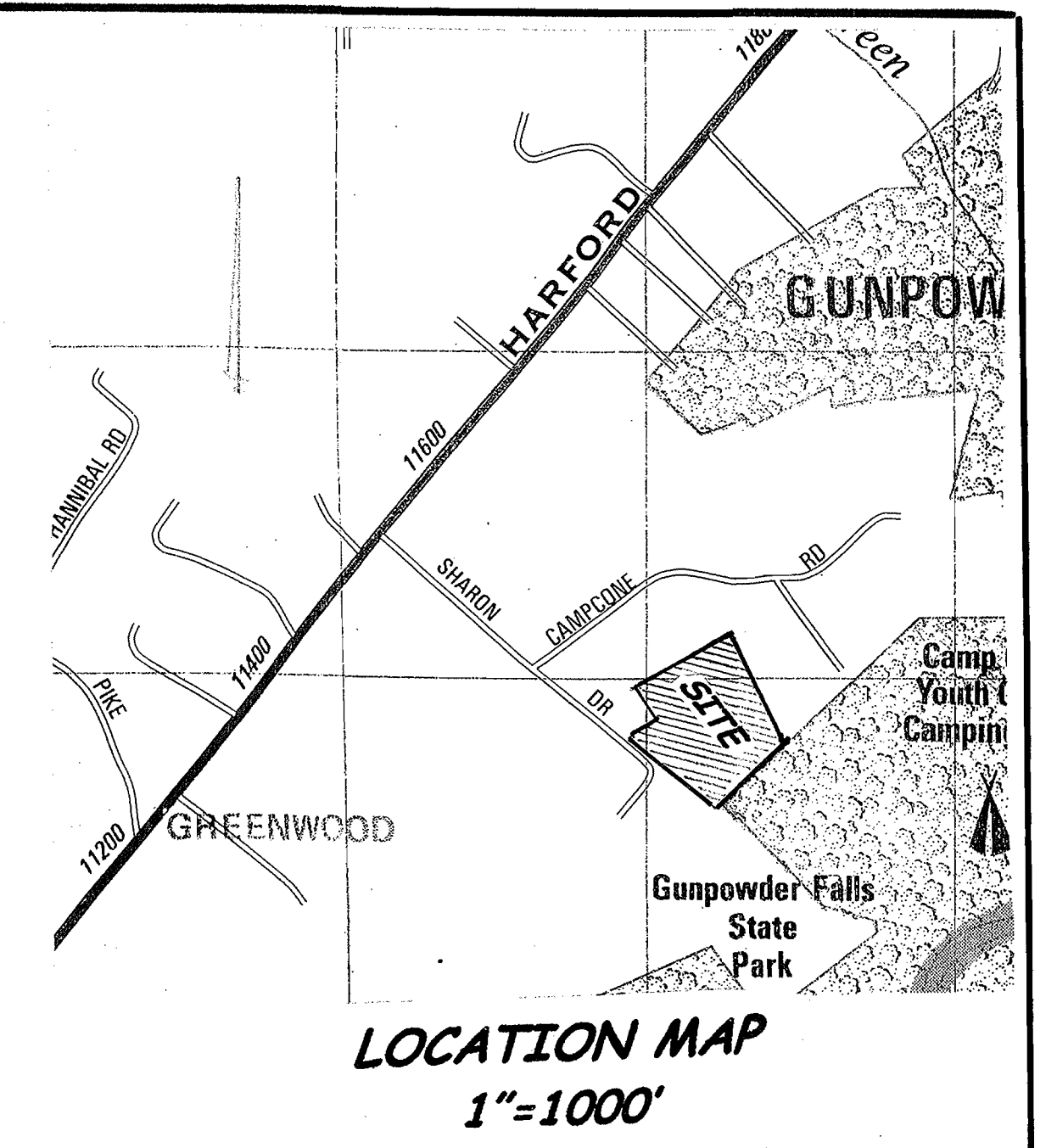
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

J.S. DALLAS, INC.
 SURVEYING & ENGINEERING
 P.O. BOX 26
 BALDWIN, MD. 21013
 (410) 817-4600



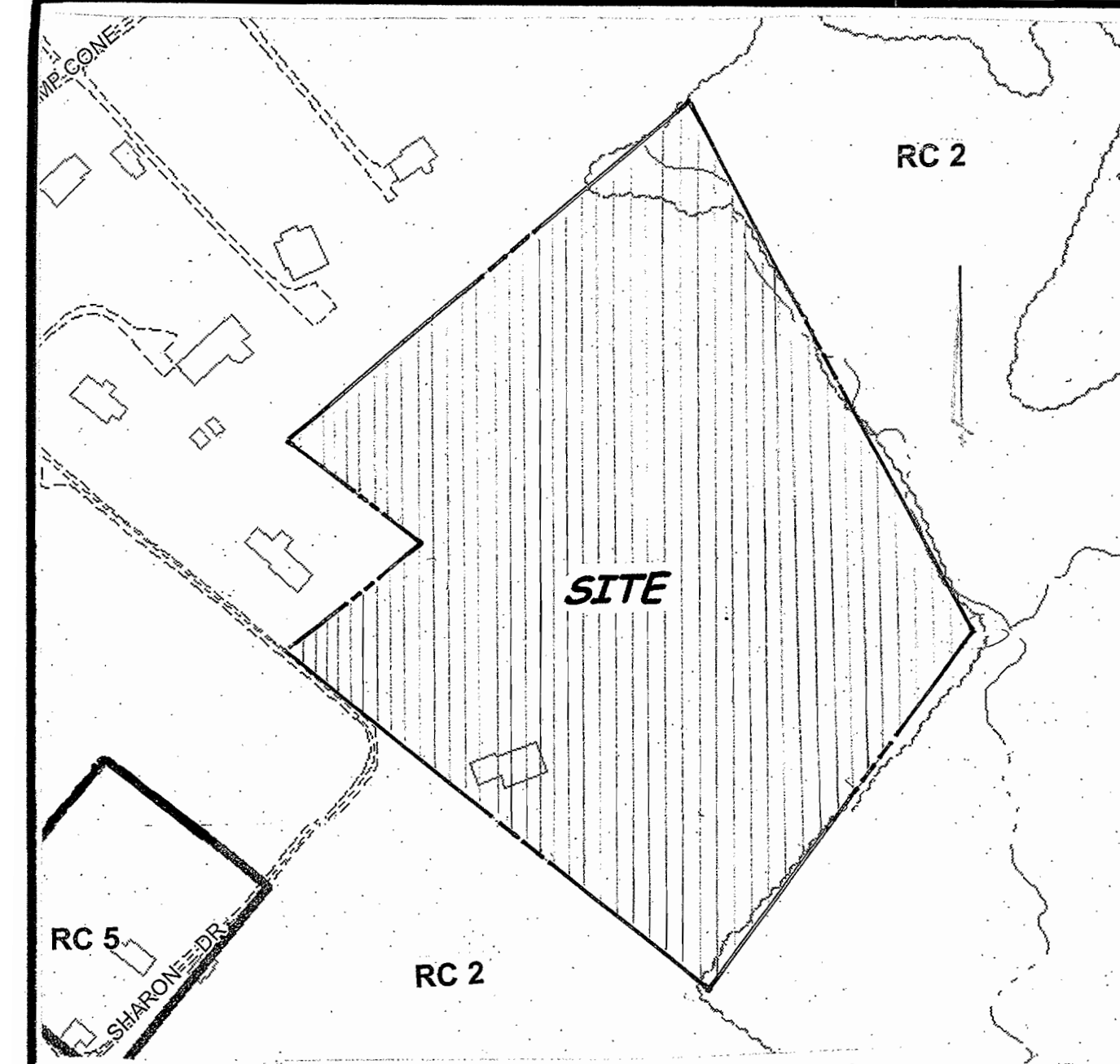
- NOTES:**
1. OWNERSHIP:
 RANDY G. AND JOAN M. TWINING
 #5630 SHARON DRIVE
 GLEN ARM, MD 21057
 PHONE: 410-592-8875
 2. PROPERTY INFORMATION:
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 (ATTACHED) APPROVED 3-17-97.



***DETAIL**
1"=60'

REVISED PLAN
SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING
#5630 SHARON DRIVE
 11TH ELECTION DISTRICT BALTIMORE COUNTY, MD
 3RD COUNCILMANIC DISTRICT
 SCALE: 1"=100'
 08-401-SPH
 MARCH 2008
 JOB. NO. 08-1186

PETITIONER'S
 EXHIBIT NO. 2



IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 NR/S Sharon Drive, 1600' SE of * DEPUTY ZONING COMMISSIONER
 Campcone Drive (5730 Sharon Drive) * OF BALTIMORE COUNTY
 11th Election District *
 5th Councilmanic District * Case No. 97-311-X
 Randy G. Twining, et ux *
 Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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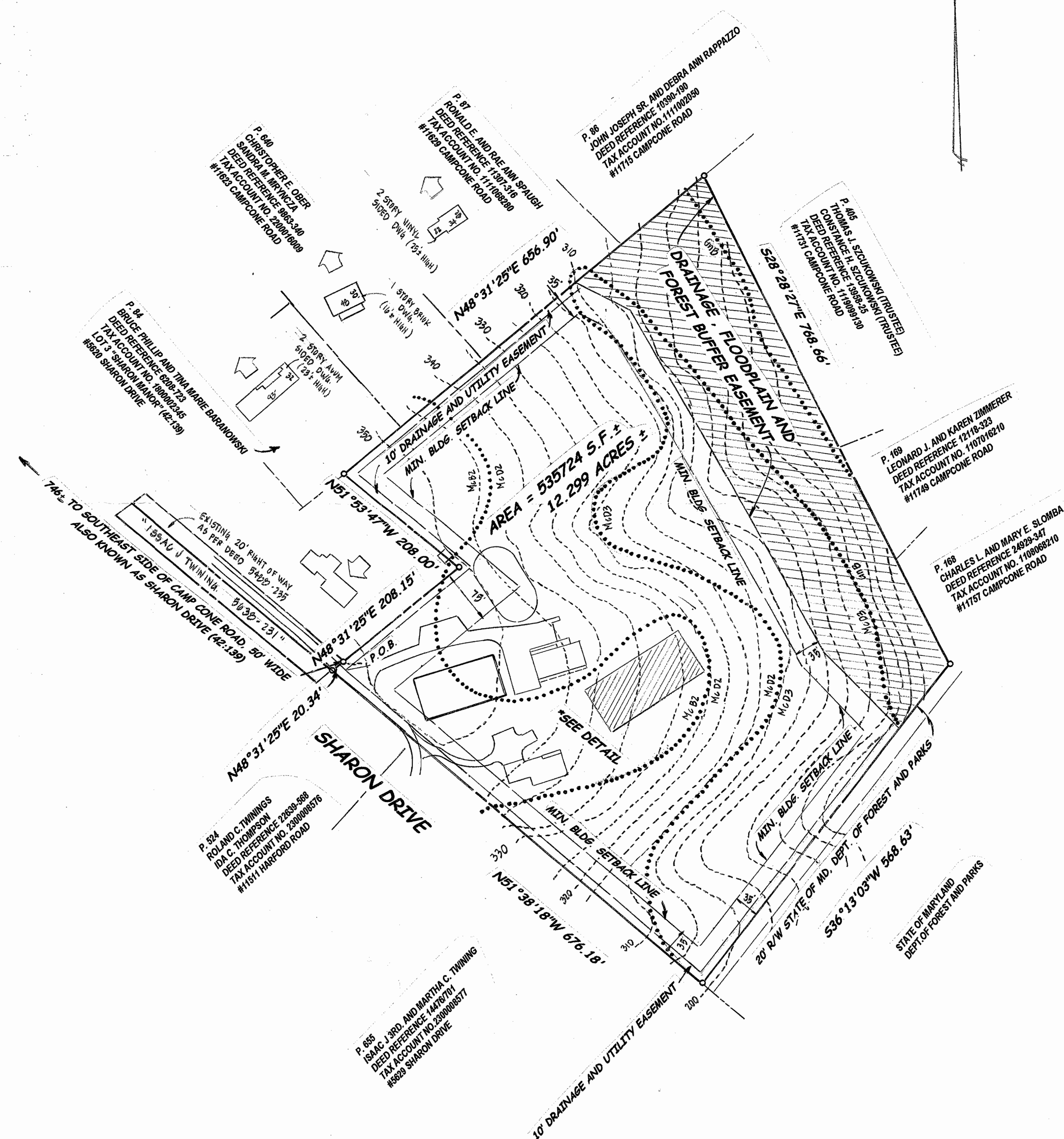
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of March, 1997 that the Petition for Special Exception to permit a therapeutic riding program (riding stable) on the subject property, zoned R.C. 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

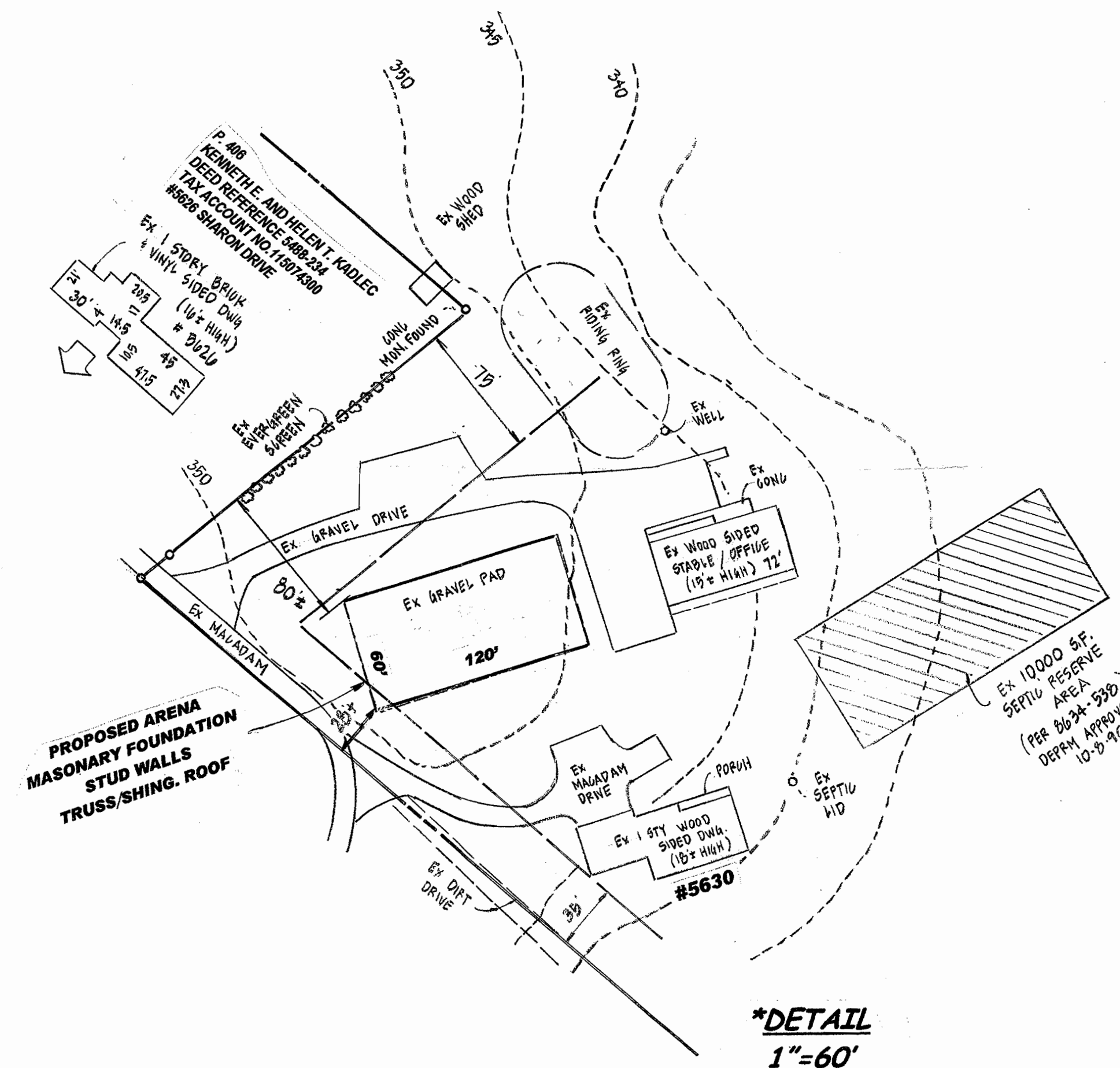
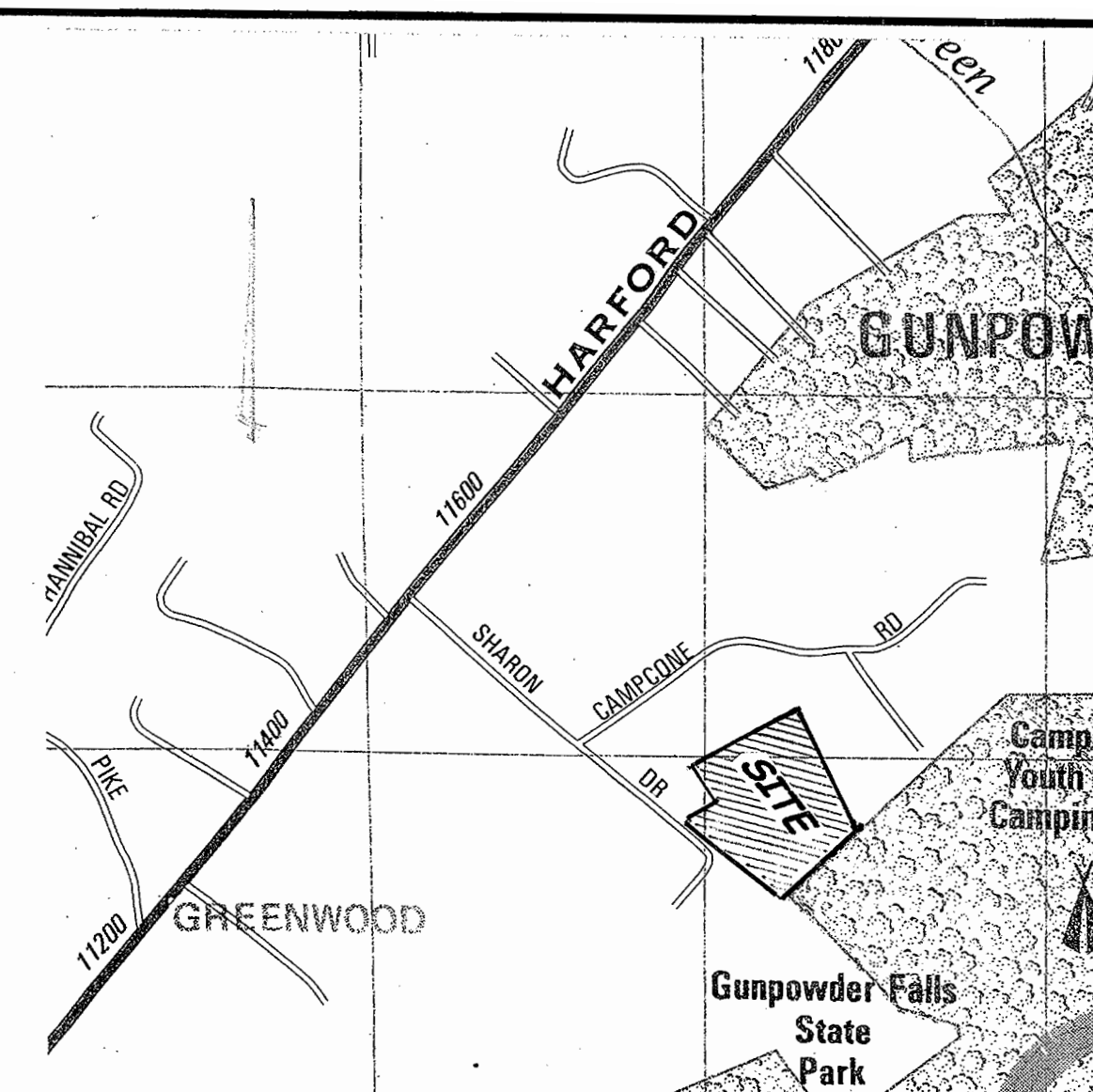
TMK:bjs

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*DETAIL
 1"=60'

SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

#5630 SHARON DRIVE

11TH ELECTION DISTRICT BALTIMORE COUNTY, MD
 3RD COUNCILMANIC DISTRICT

SCALE: 1"=100' FEBRUARY 2008

JOB. NO. 08-1186

PETITIONER'S
 EXHIBIT NO. 1

08-401-SPH