

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE**
W side of Allender Road, 1750 feet S
of the c/l of Philadelphia Road
11th Election District
5th Councilmanic District
(5711 Allender Road)

Mary Susan Buck (formerly Engle)
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY

* Case No. 2010-0298-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the legal owner of the subject property, Mary Susan Buck (formerly Engle). The Special Exception request is to use the property for a proposed private kennel to house seven dogs per Section 1B02.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."). The Variance request is from Section 421.1 of the B.C.Z.R. to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of 0 foot and 50 feet from the property line in lieu of the required 200 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the Special Exception and Variance requests were Petitioner Mary Susan Buck, her husband Frank Buck, and Kelli Pavelko, a relative of Petitioner who also lives at the subject property. Lee Giroux, acting as a consultant, also appeared on behalf of Petitioner in support of the requests for zoning relief. Appearing as concerned citizens opposed to the requested relief were Francel and Darcia Smith of 5713

ORDER RECEIVED FOR FILING

Date 7-7-10

By PJ

Allender Road and Lisa Maxwell of 5709 Allender Road. No other Protestants or interested persons attended the hearing.

Testimony and evidence presented in the case revealed that the subject property is rectangular in shape and contains 0.312 acre or 13,591 square feet, more or less, zoned D.R. 3.5. The property is located on the southwest side of Allender Road in the White Marsh area of Baltimore County. The property is improved with an existing two-story single-family dwelling, which according to the Real Property Data Search marked and accepted into evidence as Petitioner's Exhibit 3, contains an enclosed area of 2,157 square feet. The property is also improved with an above ground pool and accessory structure shed located in the rear yard. The rear yard is also enclosed on the perimeter with a six foot high, white vinyl fence abutting the property line at the rear and side yards of the subject property. The rear yard and improvements thereon can be seen in the photographs that were marked and accepted into evidence as Petitioner's Exhibits 6A through 6F. The property is lined on the north and south by two macadam private driveways that provide access to the surrounding properties. Access to the subject property is via the private driveway to the south. The outlines of these driveways are delineated on the zoning map marked and accepted into evidence as Petitioner's Exhibit 2. The property is situated in a largely residential neighborhood comprised of deep, narrow lots approximately one-quarter acre in size.

Petitioner Mary Susan Buck explained that she has resided at the subject property since 2002 when the primary structure was built.¹ She testified that she had three dogs when she first moved in and has only recently had another three dogs living on the property. The three additional

¹ See, Petitioner's Exhibit 3.

ORDER RECEIVED FOR FILING

Date 7-7-10

2 By 103

dogs belong to Ms. Pavelko who is living with the Petitioner due to fiscal constraints caused by the recent economic downturn. Six dogs currently are kept on the subject property, which include the following: 'Sargent,' a twenty-four pound miniature Doberman pinscher; 'Killer,' an eight pound miniature Doberman pinscher; 'Sasha,' a six pound Papillion/Chihuahua mix; and three Staffordshire Terriers -- 'Jada,' 'Kilo,' and 'Tiny Tigar,' all of whom weigh between 45-50 lbs. Pictures of the dogs were submitted after the hearing and are contained within the file. The existing fence encircling the backyard was built almost two years ago. It is worth noting that the need for zoning relief came to Petitioner's attention as a result of a Code Inspections and Enforcement Correction Notice issued on March 8, 2010.² An Inspector from the County's Bureau of Code Inspections and Enforcement issued the notice, marked and accepted into evidence as Petitioners' Exhibit 4, as a result of a complaint filed by a concerned neighbor. As a result, Petitioner requests Special Exception relief pursuant to Sections 1B02.1 and 502.1 of the B.C.Z.R. to permit the use of the subject property as a private kennel and Variance relief pursuant to Sections 421.1 and 307.1 of the B.C.Z.R. to permit setbacks for a private kennel of zero feet on the sides and rear of the property and fifty feet from the street in lieu of the required two hundred feet.

In support of the requested relief, Petitioner stated that the dogs residing on the property are spayed/neutered and properly registered and tagged. Evidence of registration with Baltimore County was submitted after the hearing and is contained within the case file. Petitioner further testified that the dogs sleep indoors, generally in bedrooms with their owners, and are kept in kennels as needed that are located variously throughout the home. Testimony also revealed that

² Case No. CO-0074465.

ORDER RECEIVED FOR FILING

Date 7-7-10

By [Signature]

dog feces are promptly and regularly cleaned up from the lawn and disposed of at a nearby refuse and recycling center. Ms. Buck cited to the fact that no improvements are proposed and that the request at hand is merely to legitimize existing conditions in order to keep the dogs on the property in compliance with the Regulations, in particular until Ms. Pavelko and her family recover financially enough to move out of the subject property. Petitioner reiterated that having six dogs on the property is not planned as a permanent condition, though neither she nor Ms. Pavelko could forecast when the use might discontinue. Petitioner also noted that there have been no incidents on record of her dogs attacking or biting any individual or being a problem in the neighborhood. Petitioner submitted a petition of support signed by the resident of 5709B Allender Road, which was marked and accepted into evidence as Petitioner's Exhibit 7.

Following Petitioner's presentation, Francel Smith testified as a concerned citizen and neighbor and revealed that he and his wife live at 5713 Allender Road, directly behind Petitioner's home. Mr. Smith related that he has had various encounters with the dogs and specifically cited to the aggressiveness of the smaller miniature pinscher. Although posing no ill will toward Petitioner and not in complete opposition to the zoning relief requested, Mr. Smith did express concerns regarding the existing white-vinyl fence sitting on Petitioner's property line, which causes inadequate parking conditions along the commonly shared private driveway. Lisa Maxwell, who resides at 5709 Allender Road, adjacent to the Petitioner's property to the north, echoed Mr. Smith's concerns.

Prior to the scheduled public hearing, the undersigned received several letters of opposition to Petitioner's request for a private kennel. In a letter received on June 24, 2010, Theresa Engle, a resident of 5709A Allender Road, requested denial of the zoning requests due to concerns regarding the well being of the animals on the property and fear of the health and safety

ORDER RECEIVED FOR FILING

Date 7-7-10 4

By pm

ramifications on the surrounding neighborhood. In a letter received June 22, 2010, Kari Goodrich, a resident of 5717 Allender Road, requested denial of the zoning requests due to the detrimental effects and adverse consequences that the kennel would bring to the neighborhood. Moreover, in a letter received on June 24, 2010, Valerie R. Kozlowski, a resident of 5715 Allender Road, requested denial of the zoning requests citing to concerns regarding the safety of area children and the smell and noise that six dogs on one property brings to the neighborhood. These letters of opposition were marked and accepted into evidence as Protestants' Exhibits 1, 2, and 3, respectively.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated June 30, 2010 recommending denial of Petitioner's request. It was further noted that it appears there are multiple families residing in the subject dwelling in violation of the use and occupancy provisions of the Regulations.

Turning first to the requested special exception for a proposed private kennel in a D.R.3.5 Zone, let me first state that I am certainly understanding of Petitioner's and her relatives' plight, and the problems the current economic situation has caused them; nonetheless, I cannot grant the relief requested. Let me also state that as a person who has always loved dogs and grew up from childhood to adulthood with dogs as pets, I take no pleasure in this ruling. Moreover, I realize this ruling can and likely will have real consequences for Petitioner and her family. But legally and factually in this matter, I believe denial of the relief requested is the proper decision. Although of little consolation to Petitioner, in order to understand the reasoning behind the denial of the use of the property for a private kennel, it is necessary to determine how the Regulations govern the

ORDER RECEIVED FOR FILING

Date 7-7-10

By pm

special exception issue at hand. A private kennel is defined under Section 101.1 of the B.C.Z.R. as:

“Any building, structure, or land, or any portion thereof, including a dwelling, that is used, intended to be used, or arranged for the housing of more than three dogs, not including puppies less than four months old, for the purposes of show, hunting, practice tracking, field or obedience trials, *or as pets*. A private kennel does not include a pet shop or dogs accessory to a farm use.” (emphasis added).

This definition, enacted by County Council Bill No. 87-2001, identifies the Petitioner’s current use of the property as a private kennel. The Petitioner’s dwelling and land is used for the housing of more than three dogs as pets. Specifically, Petitioner houses six dogs.³ Pursuant to the chart provided in Section 1B02.1 of the Regulations, private kennels in D.R.3.5 zones are permitted with special exception approval. The standard for special exceptions is set forth in Section 502.1 of the B.C.Z.R., as interpreted in *Shultz v. Pritts*, 291 Md. 1 (1981) and more recently in *People’s Counsel v. Loyola*, 406 Md. 54 (2008).

Section 502.1 of the Regulations enumerates a number of criteria that a Petitioner has the burden to satisfy prior to the approval of a Special Exception use. *See, Id.*, at 18. The Court of Appeals in *Schultz* best explains the purpose and scope of a Special Exception use:

“The special exception use is a valid zoning mechanism that delegates to an administrative board a limited authority to allow enumerated uses which the legislature has determined to be permissible *absent any fact or circumstance negating the presumption*. The duties given the Board are to judge whether the *neighboring properties in the general neighborhood would be adversely affected* and whether the use in the particular case is in harmony with the general purpose and intent of the plan.” 291 Md. at 18.

³ At one time, Petitioner had seven dogs, although a Staffordshire terrier puppy unfortunately died recently as a result of complications from ingesting a sock.

ORDER RECEIVED FOR FILING

6

Date 7-7-10

By YB

In the instant matter, Petitioner has failed to adduce testimony showing that the use of the subject property as a private kennel prescribes to the standards promulgated in Section 502.1 of the B.C.Z.R. Insufficient testimony was presented showing that the proposed use would not be detrimental to the health, safety or general welfare of the surrounding community. Further, there was a lack of evidence showing that the proposed use would not be inconsistent with the spirit and intent of the B.C.Z.R. Although Petitioner testified that the dogs pose no threat to the community and that proper care is taken to avoid detriment to the neighborhood, Petitioner's position has little support from the surrounding neighbors. In addition to the testimony received from Mr. Smith and Ms. Maxwell, the letters received in opposition to the Petitioner's Special Exception request cite to a continuing problem with the aggressive history of the dogs and the danger that the dogs pose to the neighborhood. Moreover, the neighbors contend that the smell and noise created by the dogs adversely impacts the surrounding community. Petitioner does state that a Special Exception is needed only temporarily until Ms. Pavelko and her three dogs move out of the subject dwelling; however, I am not inclined to even grant temporary relief in this instance due to the uncertainty regarding the duration of Ms. Pavelko's residence in the subject dwelling, as well as the Office of Planning's concerns with regard to additional violations of the Regulations by having two families occupy a single-family dwelling.

Due to the lack of evidence showing that the proposed use of the property as a private kennel would be conducted without real detriment to the neighborhood and would not adversely affect the surrounding community, Petitioner has failed to meet her burden. It is noteworthy that the request at hand provides a more complete understanding of the impact the proposed use will have on the surrounding community because the request is to legitimize already existing conditions. With that backdrop and considering this evidence, I am satisfied that the facts and

ORDER RECEIVED FOR FILING

Date 7-7-10 7

By pm

circumstances show the proposed use of the subject property as a private kennel would have adverse effects at this location above and beyond those inherently associated with special exception use of a property as a private kennel irrespective of its location within the Zone. *See, Schultz*, 291 Md. at 15; *see also, People's Counsel v. Loyola College*, 406 Md. 54, 65 (2008).

As a result of the denial of the special exception, a decision by the undersigned regarding the requested variance relief is unnecessary at this time. Section 421.1 of the B.C.Z.R. is implicated only "if an animal boarding place or private kennel is allowed in a residential zone either as a special exception or as a permitted use." Since the special exception request is hereby denied, Petitioner's request for variance relief is rendered moot.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered, I find that Petitioner's Special Exception request should be denied and the Variance request is subsequently dismissed as moot.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 7th day of July, 2010 that Petitioner's request for Special Exception to use the property for a proposed private kennel to house six dogs pursuant to Section 1B02.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") be and is hereby **DENIED**; and

IT IS FURTHER ORDERED that Petitioner's Variance request from Section 421.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of 0 foot and 50 feet from the street in lieu of the required 200 feet be and is hereby **DISMISSED AS MOOT**.

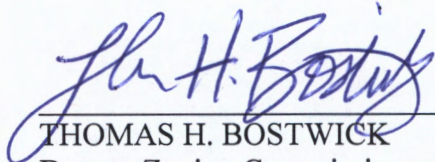
ORDER RECEIVED FOR FILING

Date 7-7-10 8

By pm

IT IS FURTHER ORDERED that as a consequence of the above ruling, Petitioner shall within 60 days of the date of this Order place her property in compliance with the prohibition against housing more than three dogs as pets, enforceable by the Baltimore County Division of Code Inspections and Enforcement.

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

Date 7-7-10

By PM 9



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 7, 2010

MARY SUSAN BUCK AND FRANK BUCK
5711 ALLENDER ROAD
WHITE MARSH MD 21162

Re: Petitions for Special Exception and Variance
Case No. 2010-0298-XA
Property: 5711 Allender Road

Dear Mr. and Mrs. Buck:

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.

Sincerely,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Lee Giroux, 733 Camberley Circle, Towson MD 21204
Kelli Pavelko, 5711 Allender Road, White Marsh MD 21162
Francel and Darcia Smith, 5713 Allender Road, White Marsh MD 21162
Lisa Maxwell, 5709 Allender Road, White Marsh MD 21162
Theresa Engle, 5709A Allender Road, White Marsh MD 21162
Kari Goodrich, 5717 Allender Road, White Marsh MD 21162
Valerie R. Kozlowski, 5715 Allender Road, White Marsh MD 21162

TAX. ACCOUNT # 2300012548

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 5711 ALLENDER RD 21162
which is presently zoned DR3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 421.1 TO ALLOW A FENCE-ENCLOSED

OUTDOOR AREA AND DWELLING AREA FOR A PROPOSED PRIVATE KENNEL WITH SIDE YARD SETBACKS OF ZERO FEET AND 50 FEET FROM THE STREET IN LIEU OF THE REQUIRED 200 FEET.

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

TO BE PRESENTED AT THE HEARING

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

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

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

Contract Purchaser/Lessee:

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):

Name - Type or Print MARY SUSAN BUCK (FORMERLY ENGLE)

Signature Mary Susan Buck

Name - Type or Print _____

Signature _____

Address 5711 ALLENDER RD 4105992701 Telephone No. _____

City WHITE MARSH MD State MD Zip Code 21162

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By A TSHI Date 5/4/2010

Case No. 2010-0298-XA



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 5711 ALLENDER RD 21162

which is presently zoned DR3.5

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

A PROPOSED PRIVATE KENNEL TO HOUSE SEVEN DOGS PER § 270 OF B.C.Z.R.

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.

TO BE PRESENTED AT THE HEARING

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By A TSUT Date 5/4/2010

Case No. 2010-0298-XA

REV 09/15/98

ORDER RECEIVED FOR FILING
7-7-10
By py

ZONING DESCRIPTION FOR 5711 ALLENDER ROAD, WHITE MARSH, MD 21162-1306

Beginning at a point on the WEST side of ALLENDER ROAD which is APPROX ~~50~~ ⁴⁰ FT *msb*

Wide at the distance of 1600 feet SOUTH of the centerline of the nearest improved intersecting street PHIILADELPHIA ROAD which is 100 FT wide.

ALL THAT LOT OF GROUND SITUATE IN BALTIMORE COUNTY, MARYLAND, AND DESCRIBED AS FOLLOWS, THAT IS TO SAY: BEGINNING FOR THE SAME AT A POINT ON THE FOURTH LINE DESCRIBED IN A DEED DATED JANUARY 4, 2000, AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER NO. 14250, FOLIO 392 WAS GRANTED AND COVEYED BY HEIDDY M. WEBSTER TO J. WILLIAM RUPPERT, III, SAID POINT BEING ON THE SOUTHWEST SIDE OF ALLENDER ROAD, AN ULTIMATE 50' RIGHT-OF-WAY; THENCE ALONG AND BINDING ON THE SAID SOUTHWEST SIDE OF ALLENDER ROAD S 16 DEGREES 29 MINUTES 57 SECONDS E. 75.58 FEET TO A POINT; THENCE LEAVING THE SOUTHWEST SIDE OF ALLENDER ROAD AND RUNNING FOR NEW LINES OF DIVISION THROUGHT THE WHOLE TRACT THE TWO (2) FOLLOWING COURSES AND DISTANCES, VIZ: (1) S 62 DEGREES 52 MINUTES 03 SECONDS W. 176.05 FEET AND (2) N 27 DEGREES 07 MINUTES 57 SECONDS W. 74.28 FEET TO A POINT ON THE AFORESAID FOURTH LINE IN THE DEED FROM H EIDDY M. WEBSTER TO J. WILLIAM RUPPERT, III, DATED AND RECORDED AS AFORESAID; THENCE ALONG SAID FOURTH LINE FOR A PART OF ITS DISTANCE N 62 DEGREES 52 MINUTES 03 SECONDS E, 190.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.312 OF AN ACRE, MORE OF LESS.

SUBJECT TO A 15 FOOT REVERTIBLE SLOPE EASEMENT LYING SOUTHWEST OF AN ADJACENT TO THE FIRST LINE DESCRIBED ABOVE, CONTAINING 0.026 OF AN ACRE, MORE OR LESS, KNOWN AS 5711 ALLENDER ROAD.

TOGETHER WITH THE USE THEREOF IN COMMON WITH LOTS 2 AND 3 AND ANY FUTURE LOTS DEVELOPED ON THE LAND ADJACENT TO THE EAST, A 24 FOOT INGRESS, MAINTENANCE AND UTILITY EASEMENT RUNNING PARALLEL TO AND NORTH EASTERLY FROM THE SECOND LINE DESCRIBED IN THE ABOVE DESCRIPTION.

BEING A PART OF THAT LOT OF GROUND WHICH BY DEED DATED JANUARY 4, 2000, RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER NO. 14250 FOLIO 392, WAS GRANTED AND CONVEYED BY HEIDDY M. WEBSTER TO J. WILLIAM RUPPERT, III.

2010-0298-XA

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: 2010-0298-XA
Petitioner: MARY SUSAN ENGLE
Address or Location: 5711 ALLENDER RD WHITE MARSH, MD 21162

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARY SUSAN ENGLE
Address: 5711 ALLENDER RD
WHITE MARSH, MD 21162
Telephone Number: 410-599-2701

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **54000**

Date: **5/4/10**

PAID RECEIPT

DATE: 05/04/2010 10:44:20
 BY: [illegible]
 AMOUNT: \$130.00

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	206	0000		6150				1130-

Total: **\$130-**

Rec From: **54000 SINGLE**
 For: **5711 ALLENDER RD**
PRIVATE COUNCIL
2010-0240-1A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

NOTICE OF ZONING HEARING

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

Case: # 2010-0298-XA

5711 Allender Road

W/side of Allender Road, 1750 feet south of the centerline of Philadelphia Road

11th Election District - 5th Councilmanic District

Legal Owner(s): Mary Susan Buck

Special Exception: for a proposed private kennel to house seven dogs. **Variance:** to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of zero feet and 50 feet from the street in lieu of the required 200 feet.

Hearing: Wednesday, June 30, 2010 at 9:00 a.m. In Room 104, Jefferson Building, 105 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/6/786 June 15

244094

CERTIFICATE OF PUBLICATION

6/17/, 2010

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 6/15/, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2010-0298-XA

Petitioner/Developer MARY
SUSAN BUCK

Date Of Hearing/Closing: 6/30/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 5711 ALLENDER RD.

This sign(s) were posted on June 15, 2010

Month, Day, Year

Sincerely,

Martin Ogle 6/15/10
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411

ZONING NOTICE

CASE # 2010-0298-XA

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

ROOM 104, TOWSON BUILDING 105 WEST
PLACE: CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: WEDNESDAY, JUNE 30, 2010
AT 9:00 A.M.

REQUEST: SPECIAL EXCEPTION FOR A PROPOSED PRIVATE
REAR/TO HOUSE SEWER
DOGS. VARIANCE TO ALLOW A FENCE ENCLOSED OUTDOOR
AREA AND DWELLING AREA FOR A PROPOSED PRIVATE REAR/TO
WITH SIDE YARD SETBACKS OF ZERO FEET AND 50 FEET
FROM THE STREET IN LIEU OF THE REQUIRED 250 FEET

POSTPONEMENTS DUE TO HAZARD OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CANNOT HEARING CALL 867-3181

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

*01/15/10
M. J. J. J.*

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 15, 2010 Issue - Jeffersonian

Please forward billing to:
Mary Susan Buck
5711 Allender Road
White Marsh, MD 21162

410-599-2701

CORRECTED 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: 2010-0298-XA

5711 Allender Road

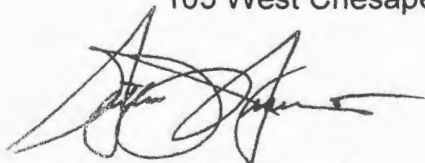
W/side of Allender Road, 1750 feet south of the centerline of Philadelphia Road

11th Election District – 5th Councilmanic District

Legal Owners: Mary Susan Buck

Special Exception for a proposed private kennel to house seven dogs. Variance to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of zero feet and 50 feet from the street in lieu of the required 200 feet.

Hearing: Wednesday, June 30, 2010 at 9:00 a.m. in room 104, Jefferson Building,
105 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

June 2, 2010

CORRECTED 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: 2010-0298-XA

5711 Allender Road

W/side of Allender Road, 1750 feet south of the centerline of Philadelphia Road

11th Election District – 5th Councilmanic District

Legal Owners: Mary Susan Buck

Special Exception for a proposed private kennel to house seven dogs. Variance to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of zero feet and 50 feet from the street in lieu of the required 200 feet.

Hearing: Wednesday, June 30, 2010 at 9:00 a.m. in room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in cursive script.

Timothy Kotroco
Director

K:kl

Mary Susan Buck, 5711 Allender Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 15, 2010.**
- (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, June 15, 2010 Issue - Jeffersonian

Please forward billing to:

Mary Susan Buck
5711 Allender Road
White Marsh, MD 21162

410-599-2701

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: 2010-0298-XA

5711 Allender Road

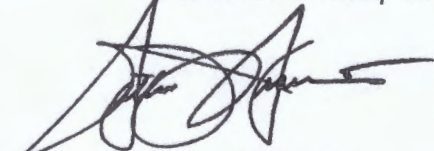
W/side of Allender Road, 1750 feet south of the centerline of Philadelphia Road

11th Election District – 5th Councilmanic District

Legal Owners: Mary Susan Buck

Special Exception for a proposed private kennel to house seven dogs. Variance to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of zero feet from the street in lieu of the required 200 feet.

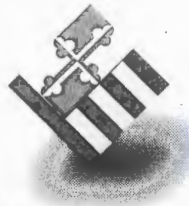
Hearing: Wednesday, June 30, 2010 at 9:00 a.m. in room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

May 27, 2010

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: 2010-0298-XA

5711 Allender Road

W/side of Allender Road, 1750 feet south of the centerline of Philadelphia Road

11th Election District – 5th Councilmanic District

Legal Owners: Mary Susan Buck

Special Exception for a proposed private kennel to house seven dogs. Variance to allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of zero feet from the street in lieu of the required 200 feet.

and 50 feet (left of agenda)

Hearing: Wednesday, June 30, 2010 at 9:00 a.m. in room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:kll

C: Mary Susan Buck, 5711 Allender Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 15, 2010.**
- (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.**



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

June 22, 2010

Mary Susan Buck
5711 Allender Rd.
White Marsh, MD 21162

Dear: Mary Susan Buck

RE: Case Number 2010-0298-XA, 5711 Allender Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 4, 2010. 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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

6-22-10
Not
mailed to
Retroven -
found original
letter &
envelope in
file -
called
na Shenda
to pick up
still
here
6-23-10

TB 6/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 29, 2010

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

SUBJECT: 5711 Allender Road

INFORMATION:

Item Number: 10-298

Petitioner: Mary Susan Buck

Zoning: DR 3.5

Requested Action: Variance

RECEIVED

JUN 30 2010

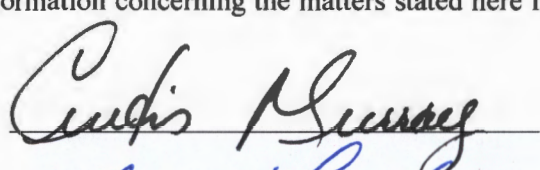
ZONING COMMISSIONER

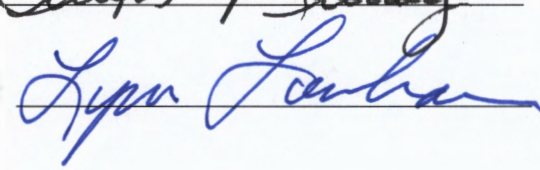
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan and offers the following comments:

The Office of Planning has had conversations with the owner of the property to better clarify the variance request and the associated hardship. It appears that there are multiple families living in the subject dwelling necessitating the subject variance to allow a proposed private kennel with a side yard setback of 0 feet and 50 feet from the street in lieu of the required 200 feet. The Office of Planning recommends denial of the petitioner's request. It also appears that the number of families residing in subject dwelling is a violation of Baltimore County regulations.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by: 

Division Chief: 
AFK/LL: CM

TB
6-30-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 11, 2010

SUBJECT: Zoning Item # 10-298-XA
Address 5711 Allender Road
(Buck Property)

Zoning Advisory Committee Meeting of May 17, 2010.

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

Reviewer: JWL Date: 6/11/10

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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: MAY 19, 2010

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

RE: Baltimore County
Item No. 2010-0298-A
5711 ALLENDER ROAD
MARY BUCK PROPERTY
VARIANCE -

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. 2010-0298-A.

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

Very truly yours,

A handwritten signature in dark ink that reads "Michael P. Bailey". The signature is written in a cursive, flowing style.

For¹ 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.sha.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 31, 2010
Item Nos. 2010- 176, 230, 295, 296,
297, 298, 299, 301, 303, 304, 306, 307
311 & 312

DATE: May 18, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05312010 -NO COMMENTS.doc



BALTIMORE COUNTY
MARYLAND

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

May 27, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 17th, 2010

Item Numbers: 0176, 0230, 0295, 0296, 0297, 0298, 0299, 0300, 0301, 0303, 0304, 0306
and 0307-0312

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.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE *
5711 Allender Road; W/S Allender Road, * ZONING COMMISSIONER
1750' S c/line of Philadelphia Road *
11th Election & 5th Councilmanic Districts * FOR
Legal Owner(s): Mary Buck *
Petitioner(s) * BALTIMORE COUNTY
* 10-298-XA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

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

RECEIVED

MAY 21 2010



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of May, 2010, a copy of the foregoing Entry of Appearance was mailed to Mary Buck, 5711 Allender Road, White Marsh, MD 21162, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

**CO-0074465
5711 Allender Rd**

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: June 3, 2010

TO: W. Carl Richards, Jr.

FROM: Meghan Ferguson, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No: 2010-0298-XA
Legal Owner/Petitioner: Mary Buck
Contract Purchaser:
Property Address: 5711 Allender Rd
Location Description: West side of Allender Road, 1750 feet south of the
centerline of Philadelphia Road.

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date: **Keith Parker**

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Case No: CO-74465
Correction Notices
Citation
Photographs

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Kaitlyn Heinbach in Room 213 in order that the appropriate action may be taken relative to the violation case.

MF/kh
C: Keith Parker; Code Enforcement Officer



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER C00074465	PROPERTY TAX ID 2300012548	DATE ISSUED 3/18/10
NAME(S): Mary Susan Engle		
MAILING ADDRESS 5711 Alexander Rd.		
CITY White Marsh	STATE md.	ZIP CODE 21162
VIOLATION ADDRESS SAME		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR5.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- ☐ BI. (230) ☐ BR (236) ☐ BM (233)
☐ MR (240) ☐ ML (253) ☐ MH (256)
☐ OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- ☒ 101; 102.1: Definitions; general use
☒ 1B01.1: DR Zones-use regulations
☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s)
☐ 1B01.1D: Remove open dump/ junk yard
☐ 431: Remove commercial vehicle(s)
☐ 101; 102.1: Remove contractors equip. storage yard
☐ 101; 102.1; ZCPM: Cease service garage activities
☐ 402: Illegal conversion of dwelling
☐ 101; 102.1; ZCPM: Illegal home occupation
☐ 415A: License/ remove untagged recreation vehicle
☐ 415A: Improperly parked recreation vehicle
☐ 415A: One recreational vehicle per property
☐ 410: Illegal Class II trucking facility
☐ 400: Illegal accessory structure placement.
☒ 1B02.1; 270; 421.1: Illegal kennel. Limit 3 dogs
☒ 102.5: Residential site line violation /obstruction
☐ 408B: Illegal rooming/ boarding house
☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order

BALTIMORE COUNTY CODE (B.C.C.)

- ☐ 13-7-112: Cease all nuisance activity
☐ 13-7-115: County to abate nuisance & lien costs
☐ 13-7-310: Remove all trash & debris from property
☐ 13-7-312: Remove accumulations of debris, materials, etc
☐ 13-7-201(2): Cease stagnant pool water
☐ 12-3-106: Remove animal feces daily
☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests
☐ 13-4-201(b)(d): Store garbage in containers w/tight lids
☐ 35-2-301: Obtain building/ fence/ sign permit
☐ 18-2-601: Remove all obstruction(s) at street, alley, road
☐ 13-7-310(2): Remove bird seed / other food for rats
☐ 32-3-102: Violation of development plan/ site plan
☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise
☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height

OWNER OCCUPIED HOUSING (B.C.C.)

- ☐ 35-5-302(a)(1): Unsanitary conditions.
☐ 35-5-302(a)(3): Cease infestation from prop.
☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc
☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions
☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s)
☐ 35-5-302(a)(2): Store all garbage in trash cans
☐ 35-5-302(b)(1): Repair exterior structure
☐ 35-5-302(b)(1)(3): Repair exterior extensions
☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces
☐ 35-5-302(b)(1)(7): Repair defective fence

INVESTMENT PROPERTY (B.C.C.)

- ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition
☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members
☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry
☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below)
☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s)
☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members
☐ 35-2-404(a)(1)(iv): Repair exterior chimney
☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations
☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris
☐ 35-2-404(a)(4)(ii): Board & secure. Material to match building color of structure

OTHER VIOLATIONS OR REMARKS:

NOTICE POSTED AND MAILED

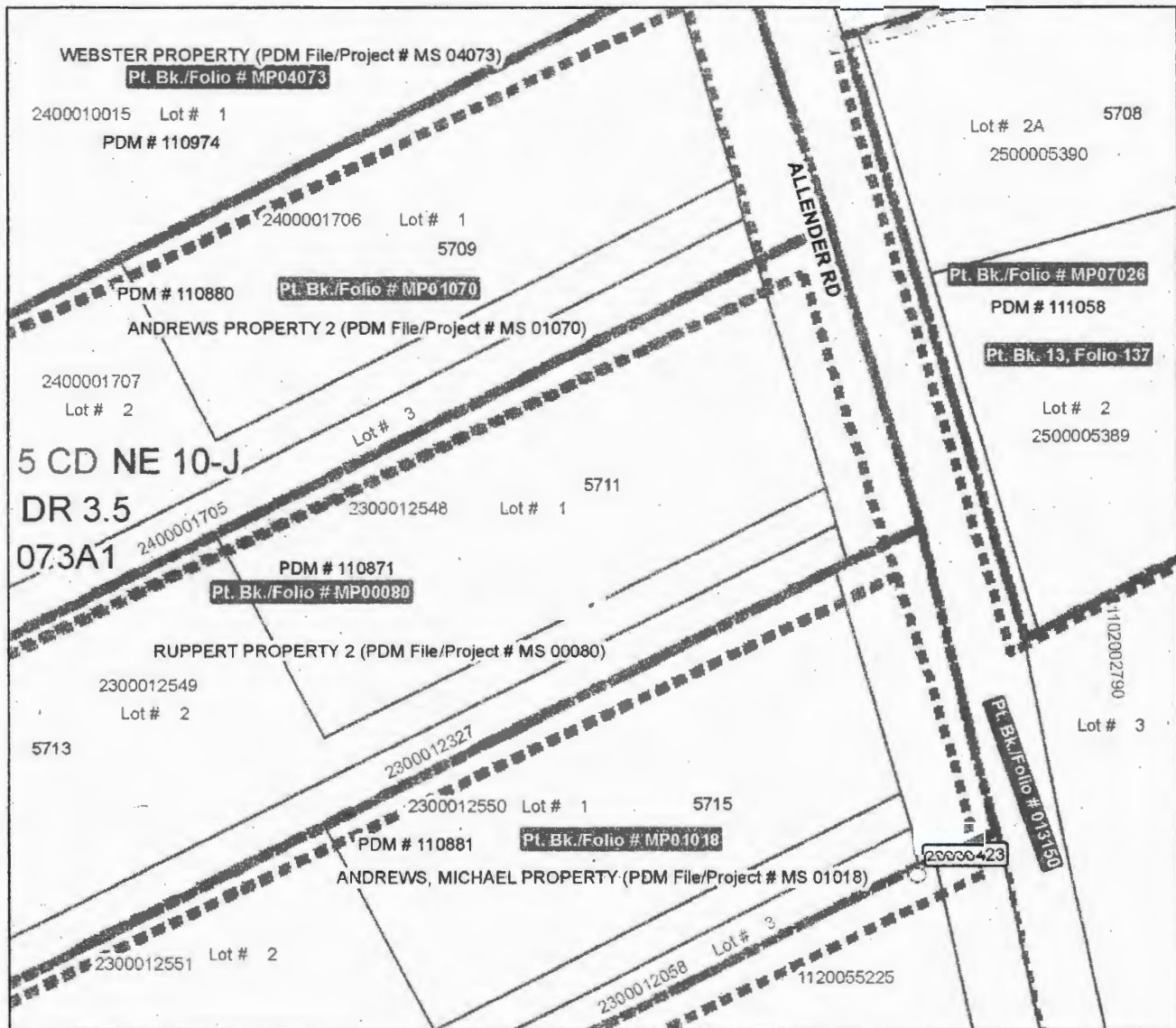
POTENTIAL FINE: ☐ \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.

COMPLIANCE DATE: **4.1.10** INSPECTOR NAME: **K. Parker**

PRINT NAME (Rev 9/95)

AGENCY

5711 Allender Road



Publication Date: March 25, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 50 100
Feet

1 inch = 50 feet

Patricia Zook - Case 2010-0298-XA - comments needed - hearing is Wednesday, 6/30/2010

From: Patricia Zook
To: Murray, Curtis
Date: 6/24/2010 9:51 AM
Subject: Case 2010-0298-XA - comments needed - hearing is Wednesday, 6/30/2010
CC: Bostwick, Thomas

Good morning Curtis -

We need Planning comments for the below-described case:

CASE NUMBER: 2010-0298-XA

5711 Allender Road

Location: W side of Allender Road, 1750 feet S of the c/l of Philadelphia Road.

11th Election District, 5th Councilmanic District

Legal Owner: Mary Susan Buck (formerly Engle)

SPECIAL EXCEPTION A proposed private kennel to house seven dogs per Section 270 of the B.C.Z.R.

VARIANCE To allow a fence enclosed outdoor area and dwelling area for a proposed private kennel with side yard setbacks of 0 foot and 50 feet from the street in lieu of the required 200 feet.

Hearing: Wednesday, 6/30/2010 at 9:00:00 AM, Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

CHECKLISTComment
ReceivedDepartmentSupport/Oppose
No Comment6-18-10

DEVELOPMENT PLANS REVIEW

nc6-11-10

DEPRM

nc5-27-10

FIRE DEPARTMENT

nc

PLANNING

(if not received, date e-mail sent 6-24-10)6-19-10

STATE HIGHWAY ADMINISTRATION

nc-

TRAFFIC ENGINEERING

--

COMMUNITY ASSOCIATION

-6-21-10

ADJACENT PROPERTY OWNERS

opposes

ZONING VIOLATION

(Case No. CO 0074465)

PRIOR ZONING

(Case No. -)

NEWSPAPER ADVERTISEMENT

Date: 6-15-10

SIGN POSTING

Date: 6-15-10

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☒

Comments, if any: _____

CASE NAME _____
CASE NUMBER 2010-0298-XA
DATE 6-30-10

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER 2010-0298-XA
DATE 6-30-10

CITIZEN'S SIGN-IN SHEET

[illegible]

RENEWAL APPLICATION FOR BALTIMORE COUNTY, MD ANNUAL CAT & DOG LICENSE(S)

FOR OFFICE USE ONLY								
Date License Sold	Total Fee Paid	CSR Date	CSR #	Location Sold:			Issue Date	Issue Initials
				TM	TC	Library		
5-12-10	15.00	6-14-10	12345	AC				OK

0098054-01 Animal Name	Baltimore County Individual License Tag #	Rabies Tag #	★ Rabies Vaccination Expiration Date	Spayed Or Neutered	Sex	Protection Trained N=NO Y=Yes	Fee	Late Fee	Amount Due Now
KILLER 11-04116	1024120	415	03/25/2013	NO	M	N	10.00		10.00
SASHA 11-04117	1024121	416	03/25/2013	YES	F	N	5.00		5.00

(Age 8 yr
8 lbs)

Breed

Min. In.

Papillon

~~Papillon~~
Chihuahua

ZONING COMMISSIONER

JUN 30 2010

RECEIVED





Sargeant 24 lbs
AGE - 7 yrs

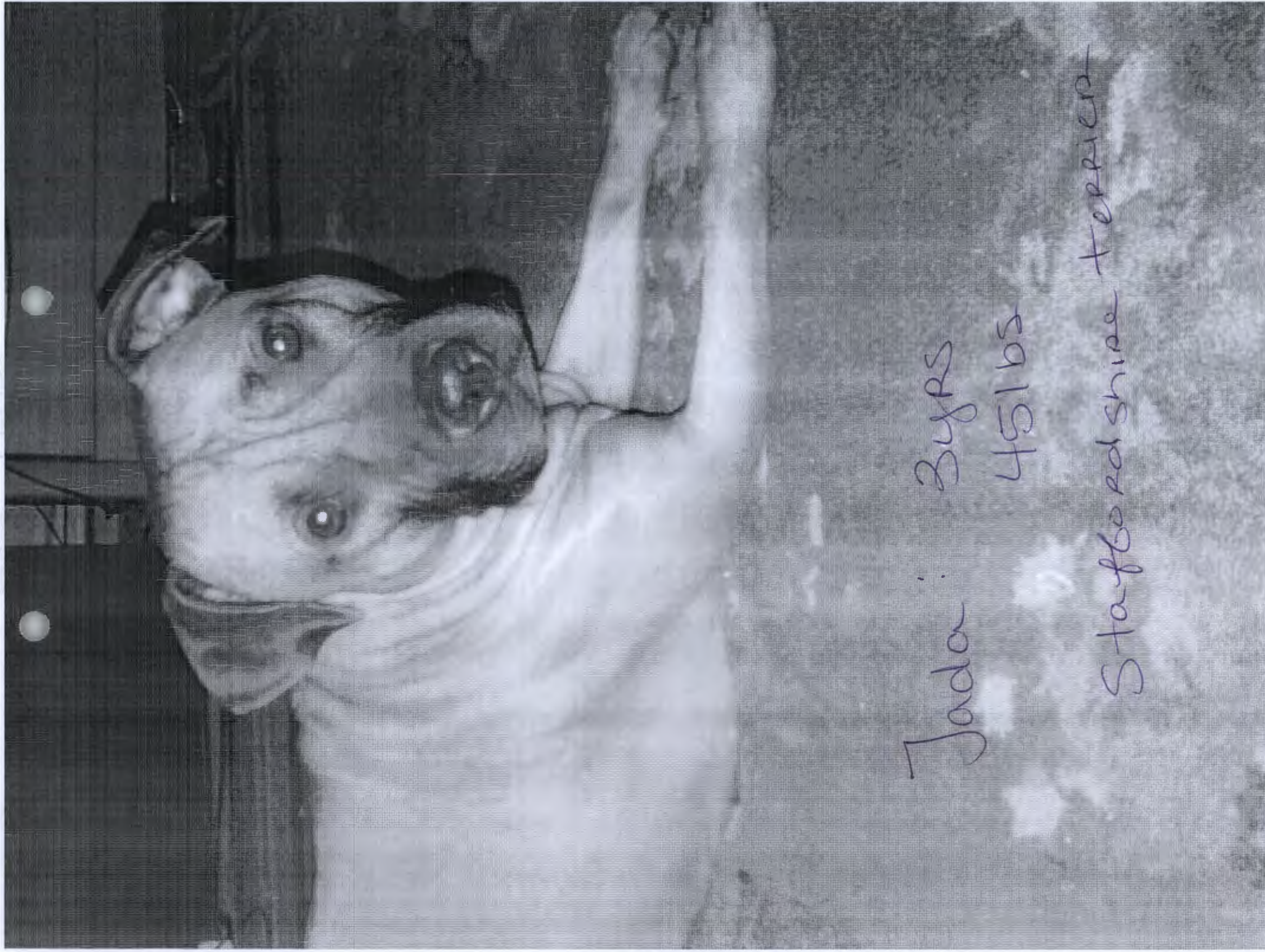


SASHA

5.7 lbs

AGE: 3yr

Papillon /
Chihuahua



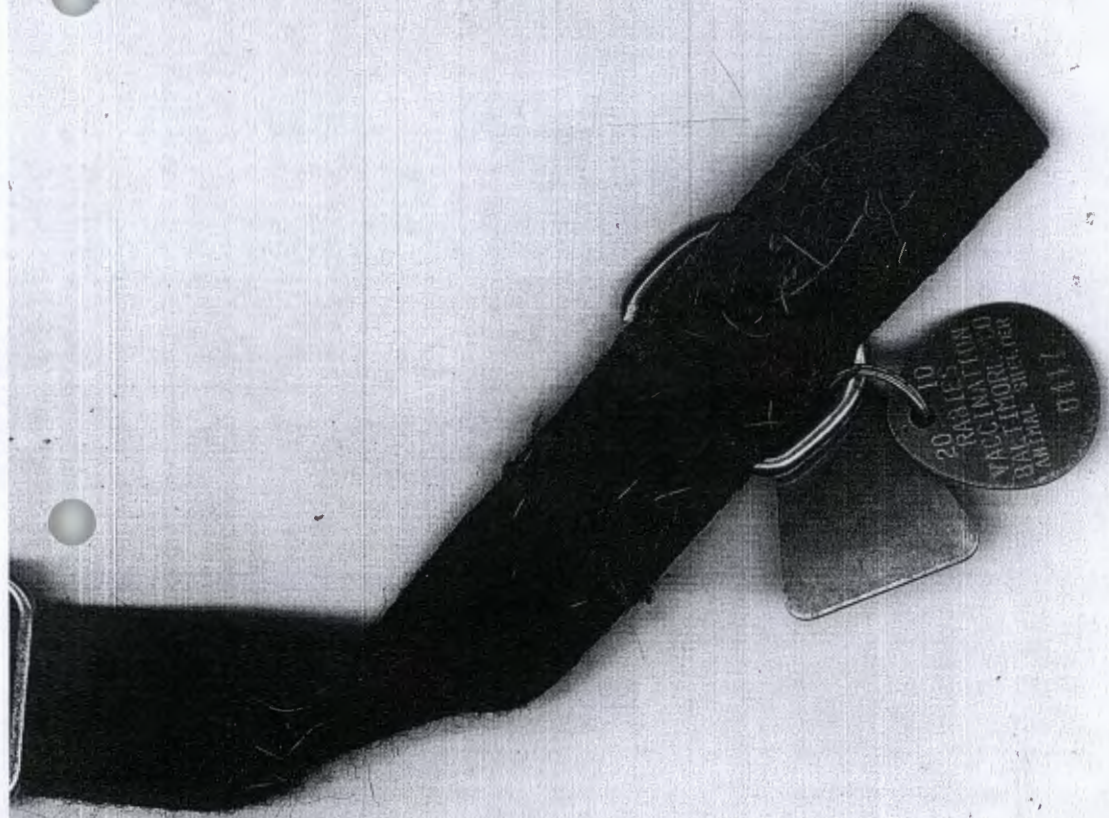
Jada: 3yrs

45lbs

Staffordshire Terrier

Jada 3 yrs 45 lbs
Staffordshire terrier





Jada



Jordan

Kilo₇

Jala



tiny →



Kilo 43lbs 4yrs

Staffordshire terrier 2010/06/30



K110

2009
Rabies Vacc

↑

Light St. Animal Hospital

1601 Light St

Balett. MD

410 -547-8385

~~0528~~

0528

K110
↓





Tiny Tigard Eyes 4/8/08
Staffordshire Terrier



Ting Tigara



Tiny + igar

Finch + 1000

BALTIMORE
COUNTY
INDIVIDUAL
EXPIRES
6-30-10
10-24124

Tiny Tiger





Jacala

Kilo



Jada

Timy Tigera

Case No.: 2010-0298-XA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	Letter in opposition from STO9A, Engle
No. 2	Zoning map	Letter in opposition from Goodrich
No. 3	Real Property Data Search	Letter in opposition from V. Kozlowski
No. 4	Code Inspection and Correction Notice	
No. 5	Aerial map of Subject Property	
No. 6 a-f	Photographs of subject property	
No. 7	Letter in Support	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

2010-0298-XA subject property



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 11 Account Number - 2300012548

Owner Information

Owner Name: ENGLE MARY SUSAN **Use:** RESIDENTIAL
Mailing Address: 5711 ALLENDER RD **Principal Residence:** YES
 WHITE MARSH MD 21162-1306 **Deed Reference:** 1) /26505/ 686
 2)

Location & Structure Information

Premises Address **Legal Description**
 5711 ALLENDER RD .312 AC
 5711 ALLENDER RD WS
 1750FT SW PHILADELPHIA R

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
73	8	463					1	3	Plat Ref:	

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2002	2,157 SF	13,591.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2009	07/01/2010
Land	103,640	83,640		
Improvements:	167,400	212,180		
Total:	271,040	295,820	279,300	287,560
Preferential Land:	0	0	0	0

Transfer Information

Seller: ENGLE RICHARD L	Date: 12/20/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /26505/ 686	Deed2:
Seller: MARYLAND LANDMARK 2001 LLC	Date: 04/23/2002	Price: \$85,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /16342/ 247	Deed2:
Seller: RUPPERT WILLIAM J 3RD	Date: 10/10/2001	Price: \$130,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /15644/ 718	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER' S

EXHIBIT NO. 3

subject property



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER C00074465	PROPERTY TAX ID 2300012548	DATE ISSUED 3/18/10
NAME(S): Mary Susan Engle		
MAILING ADDRESS 5711 Aikender Rd.		
CITY White Marsh Md.	STATE MD.	ZIP CODE 21162
VIOLATION ADDRESS SAME		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR5.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- ☐ BL (230) ☐ BR (236) ☐ BM (233)
☐ MR (240) ☐ ML (253) ☐ MH (256)
☐ OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- | | |
|---|--|
| ☒ 101; 102.1: Definitions; general use | ☐ 415A: License/ remove untagged recreation vehicle |
| ☒ 1B01.1: DR Zones-use regulations | ☐ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) | ☐ 415A: One recreational vehicle per property |
| ☐ 1B01.1D: Remove open dump/ junk yard | ☐ 410: Illegal Class II trucking facility |
| ☐ 431: Remove commercial vehicle(s) | ☐ 400: Illegal accessory structure placement |
| ☐ 101; 102.1: Remove contractors equip. storage yard | ☒ 1B02.1; 270; 421.1: <u>Illegal Kennel. Limit 3 dogs</u> |
| ☐ 101; 102.1; ZCPM: Cease service garage activities | ☐ 102.5: Residential site line violation /obstruction |
| ☐ 402: Illegal conversion of dwelling | ☐ 408B: Illegal rooming/ boarding house |
| ☐ 101; 102.1; ZCPM: Illegal home occupation | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|--|--|
| ☐ 13-7-112: Cease all nuisance activity | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-115: County to abate nuisance & lien costs | ☐ 18-2-601: Remove all obstruction(s) at street, alley, road |
| ☐ 13-7-310: Remove all trash & debris from property | ☐ 13-7-310(2): Remove bird seed / other food for rats |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 32-3-102: Violation of development plan/ site plan |
| ☐ 13-7-201(2): Cease stagnant pool water | ☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 12-3-106: Remove animal feces daily | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests | |
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | |

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease _____ infestation from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extensions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS: _____

PETITIONER'S

EXHIBIT NO. 4

NOTICE POSTED AND MAILED

POTENTIAL FINE: ☐ \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.

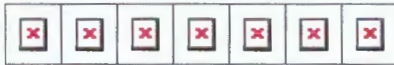
COMPLIANCE DATE: 4.1.10

INSPECTOR NAME: K. Parker

PRINT NAME (Rev 9/05)

AGENCY

2010-0298-XA



Note from MapQuest: Your web browser is not supported. Some of the features on the new MapQuest will not work on Internet Explorer 6. We encourage you to upgrade now. [Learn More »](#)

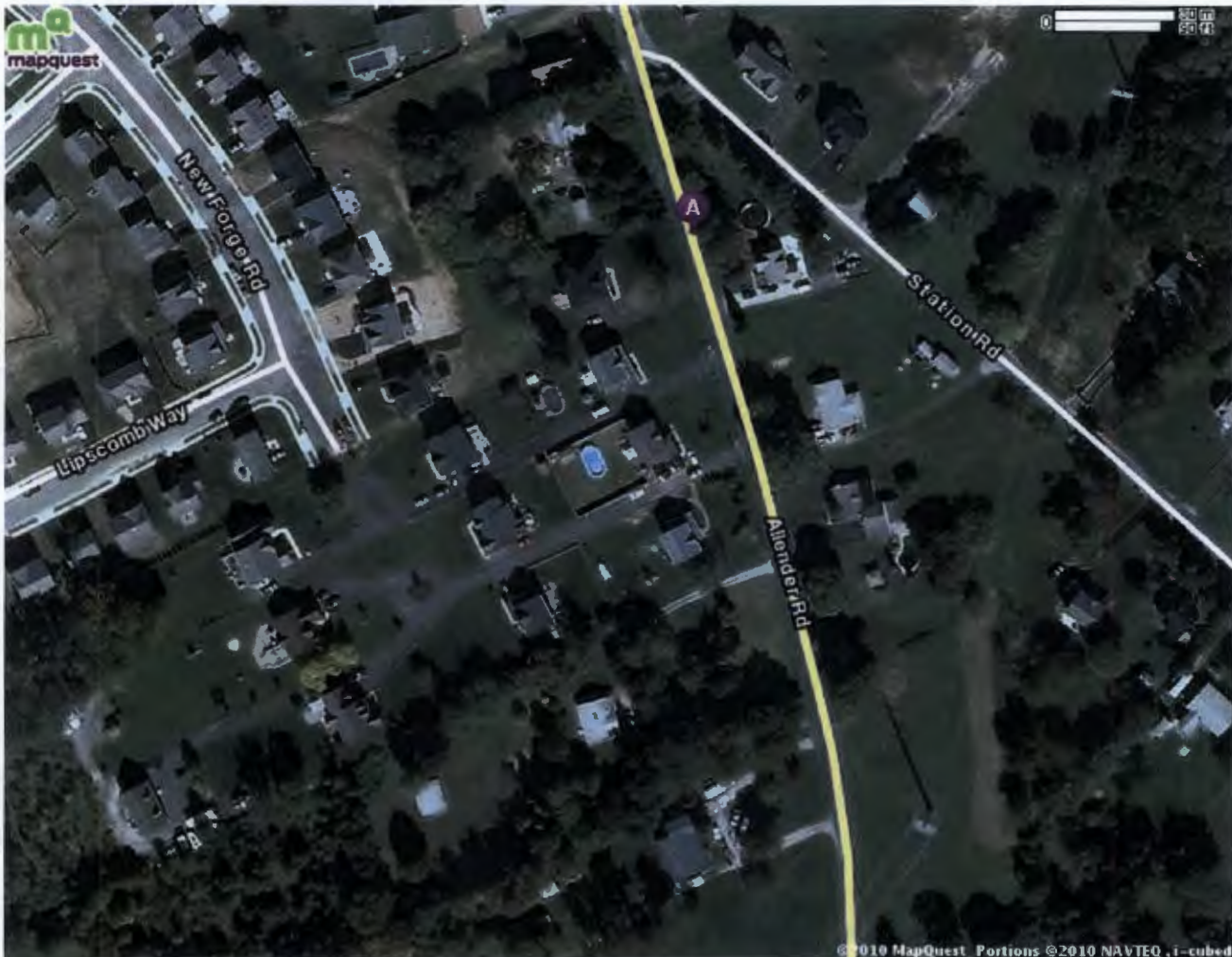
Upgrade Now: [Get Internet Explorer](#)

[Get Firefox](#)

MAPQUEST.

Sorry! When printing directly from the browser your directions or map may not print correctly. For best results, try clicking the Printer-Friendly button.

★ **5711 Allender Rd**
White Marsh, MD 21162-1306



Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest.

PETITIONER' S

EXHIBIT NO. 5



2010/06/29

PETITIONER'S

EXHIBIT NO. 6A

exhibit 1



Exhibit 2

UB



2010/06/30

Exhibit 3

6C



Exhibit 4

WD



Exhibit 5

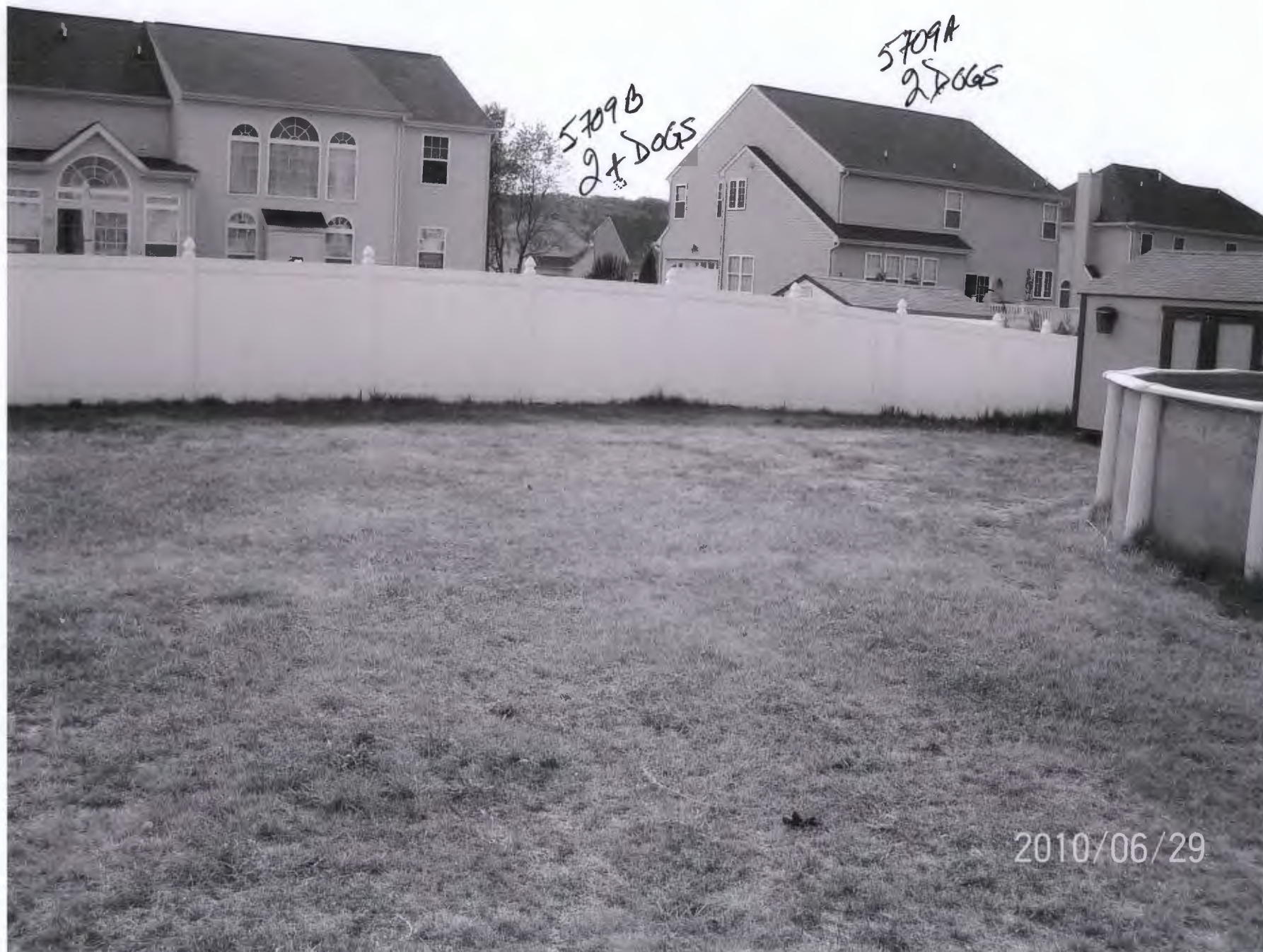


Exhibit 6

WF

Exhibit

IN Support

June 29, 2010

To whom it may concern:

I have no problems with the owner of 5711 Allender Road, White Marsh, MD 21162, having/possessing a private kennel license for the purpose of housing/homing 7 or less dogs on said property. I understand said dogs are pets and that the owner is not breeding/selling these animals. All animals except 1 older male miniature Doberman Pincher have been spayed/neutered. The older male will be neutered as soon as we can find a vet willing to perform the surgery (age is an issue for this dog).

Thank you,

Stacy
5709 B

PETITIONER'S

EXHIBIT NO.

7

TB
6-30-10

June 22, 2010
William J Wiseman III, Zoning Commissioner
105 W. Chesapeake Ave. Suite 103
Towson, Maryland 21204

2010-0298-XA

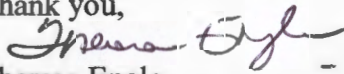
Dear Mr. Wiseman,

A petition has been filed by Susan Buck, resident of 5711 Allender Rd White Marsh, MD 21162 # 421.1 to allow for a private kennel to house seven dogs and to allow zero side setbacks and 50 feet from street in lieu of the required 200 ft. The hearing is scheduled to be heard on June 30. Being an adjacent property owner, I request that this pending application be denied. I am not anti-dog, just anti-seven. This home has several code violations against it and I fear for the health, safety and well being of these animals. I also have a concern over barking, urine and feces not cleaned up. At the time of the petition being filed there were three pit bulls residing in the basement with the basement tenants. Since the filing date, one pit bull puppy has passed away due to injuries he sustained after eating a sock while left unattended.

I will not be able to attend the hearing due to my work schedule and I have concerns over retaliation from Susan Buck's husband Frank H Buck and tenant Tory Dial whom both have 17 criminal charges pending in Baltimore County Court to be heard on 9/17, Charges ranging in theft, firearm possession and drugs but I would like my opposition to be heard.

For your consideration, I have included the map from the Department of Taxes and Assessment. Mrs. Buck's residence is listed as P463. I am located at P464. I've also included pictures of Mrs. Bucks fenced in yard.

Thank you,


Theresa Engle - 410.742.9898
5709A Allender Rd
White Marsh, MD 21162

RECEIVED

JUN 24 2010

ZONING COMMISSIONER

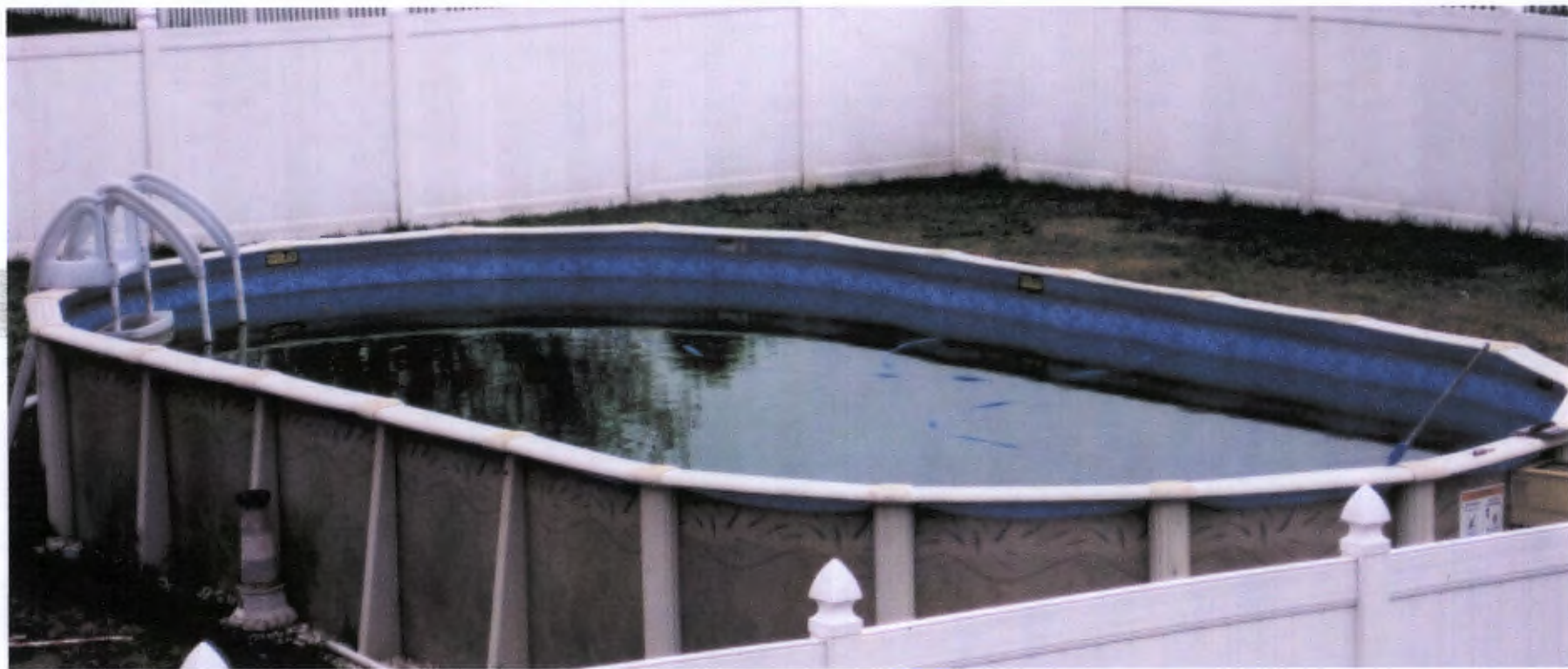
PROTESTANT' S

EXHIBIT NO. 1









TB
6-30-10

June 21, 2010

Mr. William J. Wiseman, III
Zoning Commissioner
105 W. Chesapeake Ave., Suite 103
Towson, MD 21204

RECEIVED

JUN 22 2010

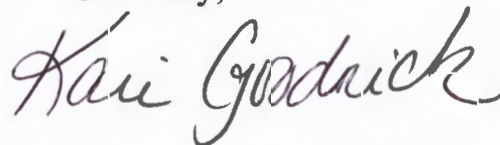
Case No.: 20100298-XA

ZONING COMMISSIONER

Dear Mr. Wiseman:

Due to an application that has been filed by Susan Buck for zoning for a private kennel license at 5711 Allender Road, White Marsh, Maryland, I hereby request the application be **denied**. As a new property owner of the area, my husband, Tim Goodrich, and I feel the kennel would bring turmoil and loud noise to this quite, peaceful neighborhood. Since we do plan to raise a family in our new home, and there are many young children who currently play in the area, I recommend that the kennel is denied to maintain safety of the children. If you have any questions, please email (kdiepold@bcps.org) or call (410-404-4558). Thank you for your time.

Sincerely,



5717 Kari Goodrich
Allender Rd. Resident

PROTESTANT' S

EXHIBIT NO. 2

Valerie Kozlowski
5715 Allender Road
White Marsh, MD 21162
410-529-4485
June 23, 2010

TB
6-30-10
PROTESTANT'S

EXHIBIT NO. 3

VIA HAND-DELIVERY

Mr. William J. Wiseman, III
Zoning Commissioner
105 W. Chesapeake Avenue
Suite 103
Towson, Maryland 21204

RECEIVED

JUN 24 2010

Re: Case No. 20100298-XA

ZONING COMMISSIONER

Dear Mr. Wiseman:

An application has been filed by Susan Buck for zoning for a private kennel license at 5711 Allender Road. As a property owner in the area, I request that the application be denied. I am unable to attend the hearing (on June 30, 2010) due to a work commitment but would like to be added as a party to the case.

My residence is within sight and sound of the subject property. I am opposed to this Petition for several reasons. The subject property shares a private driveway with five (5) other homeowners (see enclosed). The private drive is 16 feet wide. There is approximately 2 feet from the fenced in area to the private drive. The private drive is used by elementary and middle school children to walk to their school bus location. The subject property is one of closest homes to the end of the private drive which is the location the children stand for the bus. I have three young children who enjoy playing outside. My property is next to the subject property approximately 20 feet away. To my knowledge, at least two of the dogs at the property are pit bulls. Although the yard is fenced, I fear that the dogs would be able to escape the property and harm my children or other children in the area. Due to the condition of the ground around the fence area, I have witnessed the smaller dog getting out of the fenced area. My family and I do not wish to have additional noise and smell from the number of dogs being at the property. There have been other complaints made on the property in the past and if the petition is granted, the property may not be kept up to code for a private kennel. As of June 18, 2009, there are currently two open complaints. See attached.

If this Petition is granted, I wish to be added as a party to any appeal case.

Thank you for taking the time to read my letter and consider my concerns.

Very truly yours,

Valerie R. Kozlowski
Valerie R. Kozlowski

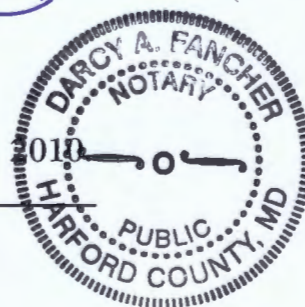
Enclosures

STATE OF MARYLAND, COUNTY OF HARFORD

SUBSCRIBED AND SWORN TO before me this 23rd day of June, 2010

Mary A. Smith
Notary Public

My Commission Expires: 4/10/14

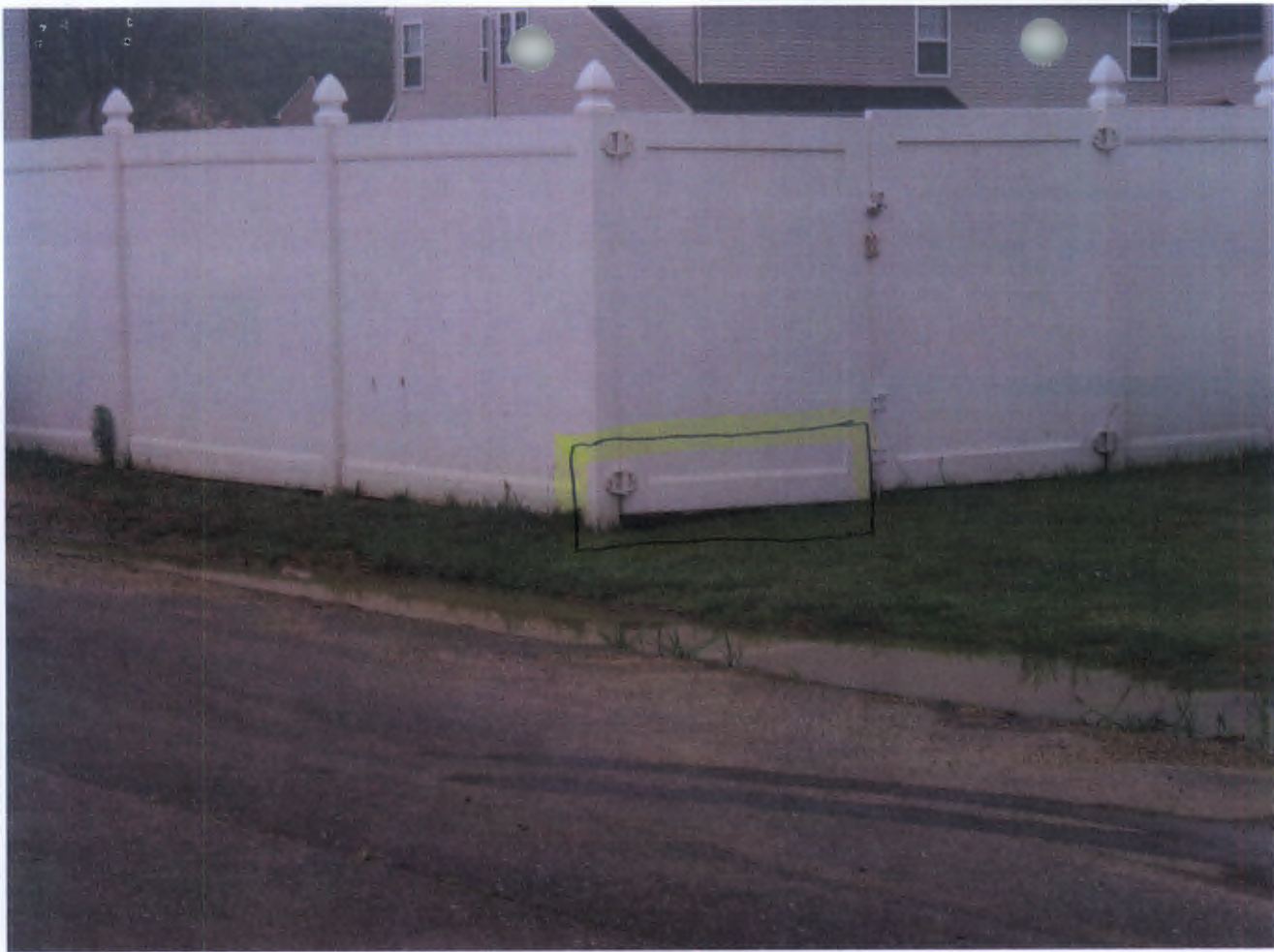




←
Petitioner's
Property

My Property ↑

Private Drive



Area where dog(s) have escaped fence



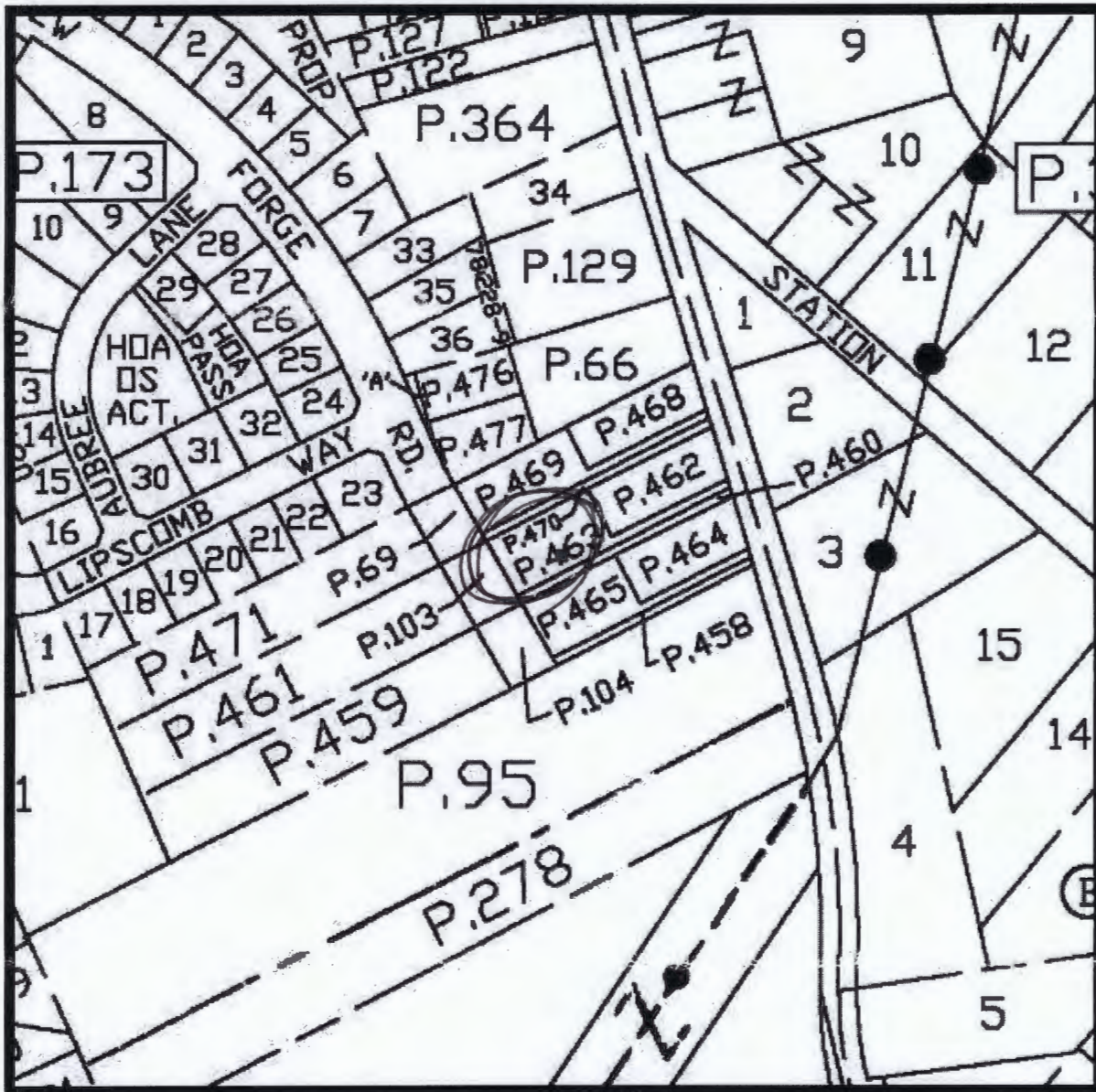
Permits & Development Management Open Complaints Report

Address	Case Number	Inspector	PE*	Hearing Date
1205 68TH ST	CO0079209	Mayer, Lewis	BI	
7				
7TH				
2804 7TH ST	CO0078471	Gaine, David	EN	
A				
ABBEYWOOD				
5300 ABBEYWOOD CT	CO0034238	Riesner, Ed	EN	
5316 ABBEYWOOD CT	CO0078890	Seidelman, Jason	EN	
ABERDEEN				
1611 ABERDEEN RD	CO0078811	Radcliffe, Jeff	EN	
1613 ABERDEEN RD	CO0073455	Turner, Ron	EN	
1613 ABERDEEN RD	CO0077452	Wood, Kim	EN	
1713 ABERDEEN RD APT A	CO0078769	Radcliffe, Jeff	EN	
ACADEMY				
501 ACADEMY RD	CO0069509	Turner, Ron	EN	02/09/2010
503 ACADEMY RD	CO0069507	Harmon, Ray	EN	
806 ACADEMY AVE	CO0078625	Kirby, Dave	EN	
ACME				
10811 ACME AVE	CO0075545	Cohen, Paul	EN	
ACORN				
52 ACORN CIR APT 101	CO0061301	Griffin, Alphonso	EN	
ACTON				
3013 1/2 ACTON RD	CO0050197	Wilson, Tommy	EN	
3322 ACTON RD	CO0077173	Seidelman, Jason	EN	
ADAMSVIEW				
1515 ADAMSVIEW RD	CO0061040	Peruzovic, Nikolai	EN	
ADANA				
703 ADANA RD	CO0072594	Wood, Kim	EN	
AIGBURTH				
12 AIGBURTH RD	CO0074585	O'Donnell, Kathy	EN	
15 AIGBURTH RD	CO0077619	Radcliffe, Jeff	EN	
202 AIGBURTH RD	CO0074588	O'Donnell, Kathy	EN	
302 AIGBURTH RD	CO0078367	Radcliffe, Jeff	EN	
51 AIGBURTH AVE	CO0076519	O'Donnell, Kathy	EN	
61 AIGBURTH AVE	CO0078862	Radcliffe, Jeff	EN	
ALDEN				
2724 ALDEN RD	CO0078519	Cassidy, Pat	EN	
ALEXANDER				
1008 ALEXANDER AVE	CO0062754	Harmon, Ray	EN	
1008 ALEXANDER AVE	CO0078621	Peruzovic, Nikolai	EN	
29 ALEXANDER CT	CO0079067	Fischer, Claudia	EN	
ALLEGHENY				
210 ALLEGHENY AVE	CO0079135	Wood, Kim	EN	
28 ALLEGHENY AVE STE 1203	CO0074841	Rohlf, Richard	BI	
ALLENDER				
5711 ALLENDER RD	CO0072116	O'Donnell, Kathy	EN	
5711 ALLENDER RD	CO0074465	Parker, Keith	EN	
ALLENSWOOD				
8905 ALLENSWOOD RD	CO0079372	Peruzovic, Nikolai	EN	
ALLMONT				
7410 ALLMONT RD	CO0079251	Turner, Ron	EN	
ALTER				
6709 ALTER ST	CO0079450	Cohen, Paul	EN	

*PE: BI - Building Inspections; CC - Community Conservation; EN - Code Enforcement;



District - 11 Account Number - 2300012548



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 5711 ALLENDER RD WHITE MARSH SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # 1 SECTION # _____

OWNER MARY SUSAN BUCK (FORMERLY ENGLE)

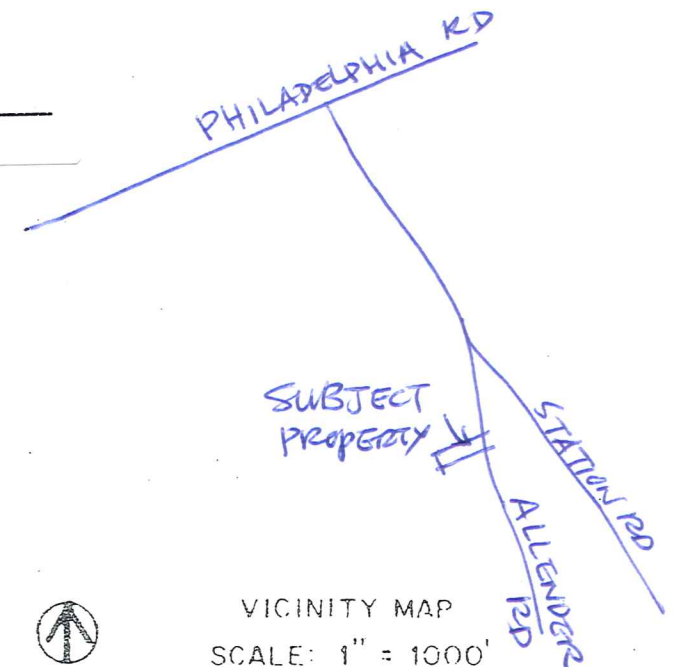
PETITIONER'S

EXHIBIT NO. 1



PREPARED BY S.E.

SCALE OF DRAWING: 1" = 50 ft



LOCATION INFORMATION			
ELECTION DISTRICT	<u>11TH</u>		
COUNCILMANIC DISTRICT	<u>5</u>		
1"=200' SCALE MAP #	<u>073A1</u>		
ZONING	<u>DR 3.5</u>		
LOT SIZE	<u>.312</u> ACREAGE	<u>13,591</u> SQUARE FEET	
	PUBLIC	PRIVATE	
SEWER	☒	☐	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	☐	YES	NO ☒
100 YEAR FLOOD PLAIN	☐		☒
HISTORIC PROPERTY/BUILDING	☐		☒
PRIOR ZONING HEARING	<u>VIOLATION CASE # C00074465</u>		

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

A. TSUI 0298 2010-0298-XA