



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 17, 2012

Debbie Sharp & Joseph Campayno
2772 Westminster Road
Ellicott City, Maryland 21043

Dear Ms. Sharp & Mr. Campayno:

RE: Spirit and Intent Request, Case # 2011-0279-SPHX, 8729 Dogwood Road, Winsor Mill Road, 2nd Election District

Your recent letter to Arnold Jablon, Director of Permits, Approvals and Inspections, was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined:

1. The proposed red-lined modifications to the site plan in Case # 2011-0279-SPHX is approved as being in the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and the Board of Appeals order, subject to Condition # 1 as contained in the Board's order.
2. A copy of your request letter and the red-lined site plan (both of which have the approval signatures of the adjacent property owners), as well as a copy of this response, will be recorded and made a permanent part of the zoning case file.
3. You must include a verbatim copy of this response letter in the details of all building permit application plans.
4. This approval is for zoning purposes only, and you will be required to comply with all other County and State regulations relative to this property.

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 it 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 the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey N. Perlow".

Jeffrey N. Perlow
Planner II, Zoning Review

c: Zoning Hearing File # 2011-0279-SPHX
File-Spirit & Intent Letters
Jason T. Vettori, esq.

Debbie Sharp & Joseph Campayno
2772 Westminster Road
Ellicott City, MD 21043

June 28, 2012

Mr. Arnold Jablon
Director of Permits, Approvals and Inspections
Baltimore County
111 W. Chesapeake Avenue, Room 105
Towson, MD 21204

RE: 8729 Dogwood Rd., Windsor Mill, MD 21244
Case No. 11-279-SPHX

Dear Sir:

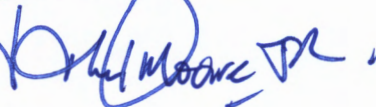
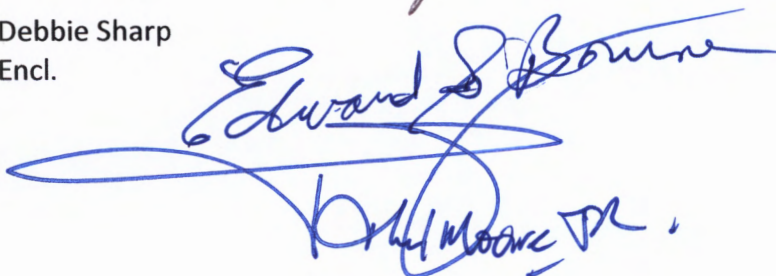
We are requesting a minor change to the site plan that was approved for a Special Exception on January 11, 2012. A redline version of that plan is attached. Due to unforeseen circumstances, we are unable to build the two pole barn structures (noted as Phase II on the drawing) at this time. So that we may move our personal horses onto the property, we are requesting the addition of a 24' x 25' modular barn, with bump-out for a utility room/bathroom, to our plan. Also, after consulting with Kevin Koepenick at DEPS, we now know that we will be using Septic Site A, and must move the caretaker's trailer to a higher elevation. This revision has a positive outcome by allowing us to move the outdoor riding arena to a more desirable location that is farther away from our neighbor, Thel Moore.

In November 2011, a lien was placed on our property by the former attorney of Jim Jett – the one who represented him against the County in the Stump Dump trial. The lien is being handled by our title insurance company, but has prevented us from obtaining a loan to build. We unknowingly purchased this infamous property two-and-a-half years ago and have been struggling with the consequences ever since. Any assistance you can provide us in expediting this request would be most appreciated.

Sincerely,



Debbie Sharp
Encl.



RE: PETITION FOR SPECIAL HEARING & SPECIAL EXCEPTION	*	BEFORE THE COUNTY
SW side of Dogwood Road to a private Lane, 2,000 feet NW from Wrights Mill	*	BOARD OF APPEALS
2 nd Election District	*	FOR
4 th Councilmanic District	*	BALTIMORE COUNTY
(8729 Dogwood Road)	*	
Debbie Sharp and Joseph Campayno	*	
Petitioner(s)	*	Case No. 2011-0279-SPHX

* * * * *

OPINION

This case comes before the Baltimore County Board of Appeals as an appeal of the Petitioners, Debbie Sharp and Joseph Campayno's request for Special Hearing and Special Exception that was granted on May 16, 2011 by Administrative Law Judge, Lawrence M. Stahl. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm an existing non-conforming unpaved access roadway of variable width pursuant to B.C.Z.R. Section 104.1 and to approve a modified parking plan for a riding stable without a durable and dustless surface and without striped parking places in lieu of the required durable and dustless surface and striped spaces pursuant to B.C.Z.R. Section 409.8.2. Petitioner also filed a Petition for Special Exception request to approve a riding stable.

Appearing before the Board in support of this Petition was Debbie Sharp and Joseph Campayno, as well as their attorney Jason Vettori. Also appearing was the Appellant, Thel Moore of 8721 Dogwood Road.

The Zoning Advisory Committee (ZAC) comments were received and are part of the case file. Comments were received from the Office of Planning dated April 8, 2011. The Office of Planning recommends denial of the proposed Special Hearing to confirm an existing non-

conforming unpaved access roadway of variable width. They also recommend denial of a modified parking plan for the riding stable without a durable and dustless surface and striped spaces. However, the Office has no opposition to Petitioners request for special exception itself to operate a riding stable, presuming their desires as to road surfaces are accepted. Comments were also received from the Bureau of Development Plans Review dated April 8, 2011. They are opposed to the surface structure of the road and driveways and have other concerns in conjunction with issues related to the issuance of building permits or requests for subdivision approval. The Agricultural Preservation Section of the Department of Environmental Protection and Sustainability supports the proposal an appropriate agricultural use in an RC 2 zone, but likewise have a concern regarding the road and any future subdivision of the site.

Petitioner Debbie Sharp testified on behalf of the proposed relief. She provided a brief history of the property, including a description of the infamous "stump dump" that once occupied the property. Her position is that she believes few of concerns of the applicable County agencies regarding the "dump" are relevant to their requested use, which she maintains will have little impact on the property. She described the general area of the site as primarily agricultural, with some houses, a cemetery, forests and nearby Patapsco Park.

She reviewed her background as it relates to horse and rider training and her plan for the proposed project. She has been a riding instructor for ten years and hopes to have this project pay for itself and be a true "non-profit". She explained that the requested use was not going to be a traditional riding stable with horses rented for hire or for the boarding of other horses. The only horses used would be those owned by the Petitioners and outside activities on the property would cease by 7:00 pm. She testified that she has no immediate plans to make the property available to large school groups for lessons, and clarified that only one or two lessons could take

place at a time due to the limited amount of horses and personnel. She testified that she intends to shield the Moore property by setting back the fence between the two properties and putting in place additional trees as a buffer.

Keith Wills, President of the Baltimore County Farm Bureau, which promotes agricultural use in Baltimore County, testified briefly in support of the Petitioner's plan.

James Herman, of JV Herman and Associates testified as an expert on behalf of the Petitioners' project. He testified that he had prepared the plat to accompany the Petition for special hearing and special exception and had reviewed the comments by various County agencies. He stated that in his opinion, the comments submitted were mostly development issues and not applicable to the zoning requests present in the Petitioners' request. He stated that horses are permitted as of right in the RC 2 zone and that the Special Exception requested is solely for a riding stable in the RC 2 zone.

In regards to the request for special hearing relief, the witness illustrated that the panhandle access to Dogwood Road is already in use and functions appropriately. He further clarified that there are no plans for the additional subdivision of the site. He stated that it was his opinion that since the riding stable will use its own horses and not be boarding others, that the limited additional traffic of those taking lessons will not require any change in the roads' size or configuration. He believes that the current surface is practically and environmentally appropriate and that any increase in impervious surfacing on either the road or parking area is unnecessary and adverse to the environment.

Regarding the Petitioners' special exception request, he foresees that the impact of the requested use at this site is minimal. Regarding 502.1 of the BCZR, he stated that in his opinion the requested use would not be detrimental to the health, safety or general welfare of the locality.

involved as it would only call for minimal construction and would otherwise be primarily grassland; that the request would not tend to create congestion in the roads, streets or alleys, given the obvious nature of the use and the limited number of people who would be availing themselves of the riding services; that it would not create a potential hazard from fire, panic or other danger as the site is a 36 acre open area; that it would not tend to overcrowd land and cause undue concentration of population, due to the nature of the requested use; would not interfere with adequate provisions for schools, parks, water, sewage, transportation or other public requirements or conveniences or improvements as the use would clearly not add population and the site utilizes private well and septic facilities, that the request would not interfere with adequate light and air, as there would be minimal construction, all within code, and no vistas would be adversely affected; that the request would not be inconsistent with the purpose of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these zoning regulations, as the requested use would be an agricultural use within an agricultural area; would not be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulation, especially based upon their requested special hearing relief granting crush and run surfacing and not imposing the additional impervious surface requirements on the site; and would not be detrimental to the environment and natural resources of the site and vicinity including forests, streams, wetlands, aquifers, and floodplains in an RC 2, RC4, RC5 or RC7 zone as the Petitioners request will leave undisturbed all environmental amenities already in place, including swales for rainfall and runoff, forests, etc.

Adjacent property owner, Thel Moore testified as to his concerns regarding the Petitioners' request. While Mr. Moore appreciates the efforts the Petitioners' have put forth in cleaning up the property, he is concerned that the granting of the special exception would clear

the way for the Petitioners to expand their horse riding operation in the future, causing an increased amount of traffic to be placed on the road that is already in extremely poor shape and which is vigilantly maintained by Mr. Moore. Mr. Moore was also concerned that there should be some natural buffer between his property and the Petitioners'.

In the instant matter, however, the Petitioners wish to put the property to an agriculturally related use that has minimal impact on the surrounding community in stark contrast to the property's prior use and troubles. Based on the testimony presented the little impact that will occur is of a positive nature. The testimony of Debbie Sharp was credible in that she stated that she had no future plans for further development of the property and only wishes to operate a very small non-profit horse riding facility. The Board notes the agency comments generated in conjunction with the proposed project deal primarily to future permit and development issues and do not cause concern for the Petitioner's proposed use.

Judging the Petitioner's request separate and apart from any future development issue, this Board finds that granting the proposed special hearing relief will have minor affect on the property and its neighbors. The Board is satisfied that only a small increase in the use of the panhandle access to Dogwood Road will occur, and the proposed use will not create a significant increase of vehicles used on the property itself. The Board also finds that any increase to impervious surface as a result of the Petitioner's Special Exception request would not be environmentally beneficial and is unnecessary.

Addressing the Special Exception for the riding stable itself, the Board finds that the proposed use is appropriate for the site and meets the requirements of subsection 502.1 of the B.C.Z.R.

In conclusion the Board finds the Petitioners request for Special Hearing relief and

Special Exception are GRANTED.

ORDER

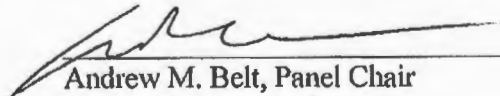
THEREFORE, IT IS this 11th day of January, 2012 by the Board of Appeals for Baltimore County

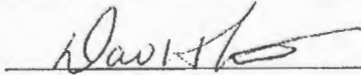
ORDERED, that the Petition for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm an existing non-conforming unpaved access roadway of variable width pursuant to B.C.Z.R. Section 104.1, and to approve a modified parking plan for a riding stable without a durable and dustless surface and without striped parking spaces in lieu of the required durable and dustless surface and striped spaces pursuant to B.C.Z.R. Section 409.8.2; be and are hereby **GRANTED**; and it is further

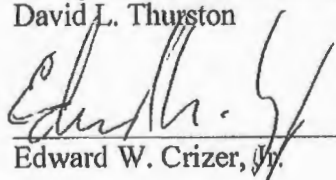
ORDERED that the Petitioner's request for Special Exception to approve a riding stable be and is hereby **GRANTED**; subject to the following condition:

1. Petitioners shall landscape the fence line between their property and the driveway of the Moore property. The length of this additional landscaping will be approximately 150 linear feet and will consist of no less than 15 fast growing arborvitae evergreen trees, placed 10 feet apart.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Andrew M. Belt, Panel Chair


David L. Thurston


Edward W. Crizer, Jr.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 11, 2012

Jason Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Ave, Ste 200
Towson, MD 21204

Mr. Thel Moore, Jr.
9721 Dogwood Road
Windsor Mill, MD 21244

RE: *In the Matter of: Debbie Sharp & Joseph Campayno – Legal Owner/Petitioner*
Case No.: 11-279-SPHX

Dear Mr. Vettori and Mr. Moore:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/kc
Enclosure
Duplicate Original Cover Letter

c: Debbie Sharp & Joseph Campayno
Keith Wills/Baltimore County Farm Bureau
Marcia Brown
Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Jim Hermann
Cathy Wolfson/Greater Patapsco Community Association
Marie Cignatta
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

**IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION**

SW side of Dogwood Road to a private
Lane; 2,000 feet NW from Wrights Mill
2nd Election District
4th Councilmanic District
(8729 Dogwood Road)

Debbie Sharp and Joseph Campayno
Legal Owners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
*
* **CASE NO. 2011-0279-SPHX**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings consideration of Petitions for Special Hearing and Special Exception filed by the legal property owners, Debbie Sharp and Joseph Campayno. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- To confirm an existing non-conforming unpaved access roadway of variable width pursuant to B.C.Z.R. Section 104.1; and
- To approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to B.C.Z.R. Section 409.8.2; and
- For such other and further relief as the Administrative Law Judge may find necessary and appropriate.

The Special Exception request is as follows:

- To approve a riding stable; and
- For such other and further relief as the Administrative Law Judge may find necessary and appropriate.

ORDER RECEIVED FOR FILING

Date 5-16-11

By JR

The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the Special Hearing and Special Exception requests were Petitioners Debbie Sharp and Joseph Campayno, and Jason Vettori, Esquire, attorney for the Petitioners. Also attending regarding the request was Thel Moore, Jr. of 8721 Dogwood Road and Cathy Wolfson, President of the Greater Patapsco Community Association.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated April 8, 2011. The Office of Planning recommends denial of the proposed Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width. They also recommend denial of a modified parking plan for the riding stable without a durable and dustless surface and stripped spaces. However, the Office has no opposition to Petitioners request for special exception itself to operate a riding stable, presuming their desires as to road surfaces are accepted. Comments were also received from the Bureau of Development Plans Review dated April 8, 2011. They likewise object to the surface structure of the road and driveways and have other concerns relative primarily to issues related to the issuance of building permits or requests for subdivision approval. The Agricultural Preservation Section of the Department of Environmental Protection and Sustainability supports the proposal as an appropriate agricultural use in an RC 2 zone, but likewise have a concern regarding the road and any future subdivision of the site.

Petitioner Debbie Sharp testified on behalf of her Petition. She related a brief history of the property, including its infamous time as the "stump dump," the subject of much litigation in years past. She noted that neither she nor her husband knew of that part of the site's history until after

ORDER RECEIVED FOR FILING

2

Date 5-16-11

By [Signature]

they became its owners. Her position is that she believes little of concerns of several County agencies regarding the "dump" apply to their requested use, which she maintains will have little impact on the property. She described the general area of the site as primarily agricultural, with some houses, a cemetery, forests and nearby Patapsco State Park.

She described her background as it relates to horse and rider training and details of the proposed project. She is a 10 year experienced riding instructor and hopes to have this project pay for itself and thus be truly "non-profit." She testified that she had met with the local Councilman as well as the Greater Patapsco Community Association and separately with its President, Cathy Wolfson, to insure that the project would be as "community friendly" as it could be. She explained that the requested use was not going to be a traditional "riding stable," with horses rented for hire or for the boarding of customers' horses. The only horses used would be those owned by the Petitioners themselves and outside activities in that regard would end at approximately 7:00 pm. The Petitioners propose an 80 feet x 20 feet "pole" barn and a "run-in shed" (a place for horses to come off pasture to get under cover). They further envision the use of numbered pastures -- a good administrative routine to rotate their use and protect grasslands and pastures from over use and over grazing. She noted that more often used areas near the barn and shed would be covered with sand on top in order to protect the pasture surface underneath.

The witness described the maintenance details of the project. This includes regular "deharrowing," or breaking up of manure which will mitigate and significantly reduce odor and flies and added that manure from the stable stalls would be compacted in a concrete building "C" on the accompanying plat (and which is colloquially referred to by her as the "concrete bunker"). Turning her attention to the neighboring Moore property, she stated that they had spoken to Mr.

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Date 5-16-11

By [Signature]

Moore and intended to take specific steps to shield the Moore property by setting back the fence between the two properties and putting in place additional trees as a buffer.¹

As regards the various County agencies, the witness testified that they were receiving conflicting requests and instructions, but acknowledged that grading and building permits still to be obtained would require dealing with the various County required compliance issues. She noted, however, that the portion of the site amenable to development (shown in gray on the Plat to Accompany the Petition) would still need to be served by the already existing panhandle roadway; however, she stated that they have no plans for any further development.

Keith Wills, President of the Baltimore County Farm Bureau, which promotes agricultural use in Baltimore County and represents some 5,400 farm families, testified briefly in support of the Petitioners' plan for an equine facility.

James Herman, of JV Herman and Associates, testified on behalf of the Petitioners' project, and was accepted as an expert in land planning, landscape architecture, and interpretation of the Baltimore County Code as it relates to land use and the B.C.Z.R. He testified that he had prepared the plat to accompany the Petition for special hearing and variance in this matter and had reviewed the comments submitted by the various County agencies. He stated that, in his opinion, the comments submitted were, by and large, development and permit issues and not applicable to the purely zoning requests of the instant Petition. He noted that horses are permitted as of right in the RC 2 zone and that the special exception requested here is simply for a riding stable in that zone. He further confirmed that only the "gray area" of the plat to accompany is available for

¹ At the request of this Administrative Law Judge, the Petitioners, subsequent to the hearing, have agreed to landscape the fence line between their property and the driveway of the Moore property. The length of this additional landscaping will be approximately 150 linear feet and will consist of no less than 15 fast growing arborvitae evergreen trees, placed 10 feet apart. This specific buffer will be made a condition of any Order issued in this matter.

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Date 5-16-11

By [Signature]

development and the "white area" is the subject of the special exception request. He also confirmed that no plans exist for any further development of the "gray area."

As regards the request for special hearing relief, the witness pointed out that the panhandle access to Dogwood Road is already in use and functions appropriately. He reiterated that there are no plans whatsoever for additional subdivision of the site. He believes that since the riding stable will use its own horses and not be boarding those of other owners, that the limited additional traffic of those taking lessons will not require any change in the road's size or configuration. He therefore believes that the previous special hearing allowing for access to Dogwood Road should be reconfirmed. Finally, he believes that the present surface is practically and environmentally appropriate and that any increase in impervious surfacing on either the road or a parking area is unnecessary and adverse to the environment.

The witness then turned his attention to the special exception request. He opined that the impact of the requested use at this site is minimal and offered that a number of the "of right" activities permitted in the zone are worse and would have a more negative impact than the requested use would. He further offered that, in his opinion, the establishment of the requested use at this location would be no worse than at any alternate site within the RC 2 zone.

Mr. Herman proceeded to address the inquiries contained in subsection 502.1 of the B.C.Z.R. He stated that in his opinion the requested use would not be detrimental to the health, safety or general welfare of the locality involved as it would only call for minimal construction and would otherwise be primarily grassland; that the request would not tend to create congestion in roads, streets or alleys, given the obvious nature of the use and the limited number of people who would be availing themselves of the riding stable services; that it would not create a potential hazard from fire, panic or other danger as the site is a 36 acre open area; that it would not tend to

ORDER RECEIVED FOR FILING

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Date 5-16-11

By [Signature]

overcrowd land and cause undue concentration of population, again due to the nature of the requested use; would not interfere with adequate provisions for schools, parks, water, sewage, transportation or other public requirements or conveniences or improvements as the use would clearly not add population and the site utilizes private well and septic facilities; that the request would not interfere with adequate light and air, as there would be minimal construction, all within code, and no vistas would be adversely affected; that the request would not be inconsistent with the purpose of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these zoning regulations, as the requested use would be a clearly agricultural use within an agricultural area; would not be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulations, especially based upon their requested special hearing relief granting crush and run surfacing and not imposing the additional impervious surface requirements on the site; and would not be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers, and floodplains in an RC 2, RC 4, RC 5 or RC 7 zone, as the Petitioners request will leave undisturbed all environmental amenities already in place, including swales for rainfall and runoff, forests, etc., resulting in better arrangements than most farms would normally have.

Cathy Wolfson, President of the Greater Patapsco Community Association, appeared and testified that she had personally met with the Petitioners regarding their intended plans and use of the site. She believes that the project will enhance the agricultural "feel" of the area in general; and specifically that the present crush and run "hard pack" road and proposed parking area is tough enough for Petitioners' intended use. She believes that the imposition of the road and parking requirements as recommended by the County in its comments to be excessive under the circumstances.

ORDER RECEIVED FOR FILING

Date 5-16-11

By [Signature]

Thel Moore, an adjacent property owner to the site, believes that the Petitioners have done a "yeoman's" job of cleaning up the site. His main concern is to maximize buffering by the placement of the fence and the use of trees to increase the buffer between the properties. Presuming steps are taken in that endeavor (which has occurred, as set out footnote 1), he looks forward to Petitioners' project coming to fruition.

Finally, letters of support for the project were also submitted by neighbor Michael Bagby and family of 8729 Dogwood Road, and by Victoria Dever, who assisted the Petitioners in their efforts to clean up the property after its purchase by them.

This site has been the scene of a sad chapter in this community's history. The "stump dump" and resulting damage are not a high point in the proper use of land and protection of the citizens of Baltimore County.

In the instant matter, however, the Petitioners, who apparently did not know of the site's checkered history before their purchase, wish to put the property to an agriculturally related use that is both creative and appropriate. It requires minimal construction and has little impact on the general area and its inhabitants. Whatever impact will occur is, by testimony of all concerned, positive in nature. I note the concerns generated in the agency comments that have been submitted and are part of the file in this matter. However, I agree with witness Herman that the nature and applicability of these comments relate primarily to future permit and development issues and other related tasks. The clear, uncontroverted and sworn testimony of Debbie Sharp and witnesses testifying on behalf of the Petitioners is that they have no plans for further development of the property and only wish to take the superficial steps necessary to allow their requested use to become reality.

ORDER RECEIVED FOR FILING

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Date 5-16-11

By [Signature]

Therefore, I will address myself solely to the requested special hearing and special exception relief. As to the special hearing, the use requested by Petitioners will, I believe, have little affect on the property and its surrounding neighbors. I do not believe there will be other than a minor increase in the use of the panhandle access to Dogwood Road, nor will the requested use, based solely on horses owned by the Petitioners themselves, generate a significant change in the number of vehicles using the property. Moreover, and especially in light of the already checkered treatment of the site, I believe any increase to the impervious surfaces as a result of Petitioners' special exception use request, on the access road or parking area would not be environmentally appropriate and is unnecessary.

As to the special exception for the riding stable use itself, I agree with the Petitioners witnesses that, given the underlying agricultural basis of the site, the requested use is appropriate. The uncontroverted testimony of witness Herman clearly establishes that the Petition for special exception meets the requirements of case law and specifically of subsection 502.1 of the B.C.Z.R.

Based therefore upon the testimony and evidenced offered, I am persuaded to grant the requested Special Hearing and Special Exception relief.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's requests for special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED this 16 day of May, 2011, by the Administrative Law Judge, that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.")

- To confirm an existing non-conforming unpaved access roadway of variable width pursuant to B.C.Z.R. Section 104.1; and

ORDER RECEIVED FOR FILING

Date 5-16-11

By [Signature]

- To approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to B.C.Z.R. Section 409.8.2; and

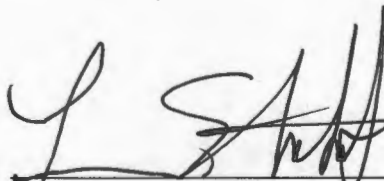
be and are hereby **GRANTED**; and

IT IS FURTHER ORDERED that the Special Exception request to approve a riding stable be and is hereby **GRANTED**.

The relief granted is subject to the following conditions:

1. 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 its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. Petitioners shall landscape the fence line between their property and the driveway of the Moore property. The length of this additional landscaping will be approximately 150 linear feet and will consist of no less than 15 fast growing arborvitae evergreen trees, placed 10 feet apart.

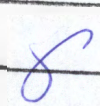
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

ORDER RECEIVED FOR FILING

Date 5-16-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

May 16, 2011

JASON VETTORI, ESQUIRE,
SMITH, GILDEA & SCHMIDT LLC
600 WASHINGTON AVENUE
SUITE 200
TOWSON MD 21204

Re: Petition for Special Hearing and Special Exception
Case No. 2011-0279-SPHX
Property: 8729 Dogwood Road

Dear Mr. Vettori:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure

c: Thel Moore, Jr., 8721 Dogwood Road, Windsor Mill MD 21244
Cathy Wolfson, 8434 Dogwood Road, Windsor Mill MD 21244
Marcia Broom, 8444 Dogwood Road, Windsor Mill MD 21244
Marie Cignatta, 5 Morning Mist Court, Woodstock MD 21163



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8729 Dogwood Road
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)

See Attached

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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:

Charles B. Marek, III
Name - Type or Print _____
Signature CBM III
Smith, Gildea & Schmidt, LLC
Company
600 Washington Ave, Suite 200 410-821-0070
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

410-821-0071 Sharp
Ashlynn-

Legal Owner(s):

Debbie Sharp
Name - Type or Print _____
Signature Debbie Sharp
Joseph Campayno
Name - Type or Print _____
Signature Joseph Campayno
2772 Westminster Road 410-480-5495
Address _____ Telephone No. _____
Ellicott City MD 21043
City _____ State _____ Zip Code _____

Representative to be Contacted:

Charles B. Marek, III
Name _____
600 Washington Ave, Suite 200 410-821-0070
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By gcm Date 3-19-11

Case No. 2011-0279-SPHX
REV 9/15/98

ORDER RECEIVED FOR FILING

Date 5-16-11

ATTACHMENT TO PETITION FOR SPECIAL HEARING

4th Councilmanic District

8729 Dogwood Road

1. To confirm an existing non-conforming unpaved access roadway of variable width pursuant to BCZR § 104.1.
2. To approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to BCZR § 409.8.2.
3. For such other and further relief as the Zoning Commissioner may find necessary and appropriate.



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 8729 Dogwood Road

which is presently zoned R.C. 2

Deed Reference: 28934 / 422 Tax Account # 02-0208550

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

SEE ATTACHED

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

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

I/We do solemnly declare and affirm, under the 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:

Charles B. Marek, III

Name - Type or Print

Signature

Smith, Gildea & Schmidt

Company

600 Washington Avenue, Suite 200

410-821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2011-0279-SP4X

REV 07/27/2007

Legal Owner(s):

Debbie Sharp

Name - Type or Print

Signature

Joseph Campayno

Name - Type or Print

Signature

2772 Westminster Rd.

410-480-5495

Address

Ellicott City

MD

Telephone No.

21043

City

State

Zip Code

Representative to be Contacted:

Charles B. Marek, III

Name

600 Washington Avenue, Suite 200

410-821-0070

Address

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

3.19.11

ORDER RECEIVED FOR FILING

Date

5-16-11

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

4th Councilmanic District

8729 Dogwood Road

1. To approve a riding stable pursuant to BCZR § 1A01.2.C.21.
2. For such other and further relief as the Zoning Commissioner may find necessary and appropriate.

Zoning Description

Beginning at a point on the south and west side and +/- 1,475 L.F. to the centerline of Dogwood Road and some +/- 1,500 L.F. north and west of the intersection of Willow Run Road which has a right-of-way width of 50 feet and Dogwood Road which right-of-way varies but has an ultimate right-of way width of 60 feet. Thence the following courses and distances:

S 23°46'00" W 504.14 feet, S 79°50'12" W 636.02 feet, N 17°19'33" E 524.00 feet, N 51°43'14" W 1572.00 feet, N 23°31'46" E 322.00 feet, N 48°29'55" E 267.12 feet, N 83°01'46" E 109.83 feet, S 51°43'14" E 359.94 feet, S 21°13'23" W 306.70 feet, S 51°43'14" E 205.00 feet, N 61°59'03" E 140.04 feet, N 85°53'20" E 42.11 feet, S 59°32'08" E 536.04 feet, N 30°27'52" E 292.15 feet, S 51°43'14" E 249.42 feet, N 18°18'45" E 99.00 feet, S 27°17'03" E 217.63 feet, S 20°18'32" E 385.00 feet, to the place of beginning.



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

No. **65822**

Date: **3-11-11**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 3/16/2011 3/15/2011 15:50:31 0

PER MSDA WILKIN SHIL SAN
 RECEIPT # 486580 3/15/2011 OFLN

Dept 5 528 ZONING VERIFICATION
 NO. 065822

Recpt Tot \$835.00
 \$835.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	P06	0000		6150						835.00

Total: **835.00**

Rec From: **D. SHARP**

For: **8724 Dogwood Rd**

0279

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

Joe

**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: # 2011-0279-SPHX

8729 Dogwood Road

S/west side of Dogwood Road to a private lane, 2000'

n/west from Wrights Mill Road

2nd Election District - 4th Councilmanic District

Legal Owner(s):Debbie Sharp & Joseph Campayno

Special Exception: to approve a riding stable and for such other and further relief as the Zoning Commissioner may find necessary and appropriate. **Special Hearing** to confirm an existing non-conforming unpaved access roadway of variable width pursuant to BCZR, 104.1; to approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to BCZR 409.8.2; and for such other and further relief as the Administrative Law Judge may find necessary and appropriate.

Hearing: Monday, April 18, 2010 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS 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.

03/342 March 31

271444

CERTIFICATE OF PUBLICATION

3/31/2011

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 3/31/2011.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0279-SPHX

RE: Case No.: _____

Petitioner/Developer: _____

Debbie Sharp & Joseph Campayno

April 18, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Matthews:

Ladies and Gentlemen:

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

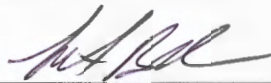
8729 Dogwood Road

April 2, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,



April 5, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2011-0279SPHX

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

Room 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, TOWSON 21204

PLACE:

DATE AND TIME: MONDAY APRIL 18 2011 AT 11:00 A.M.

REQUEST: SPECIAL EXCEPTION TO APPROVE A RIDING
STABLE AND FOR SUCH OTHER AND FURTHER RELIEF AS THE
ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.

SPECIAL HEARING TO CONFIRM AN EXISTING NON CONFORMING UNIMPROVED
ACCESS ROADWAY OF VARIABLE WIDTH PURSUANT TO BZCR 104.1, TO APPROVE A
MODIFIED PARKING PLAN FOR A RIDING STABLE WITHOUT A DURABLE
AND DURABLE SURFACE AND WITHOUT STRIPPED PARKING SPACES IN LAY OF
THE REARWARD DURABLE AND DUSTLESS SURFACE AND STRIPPED SPACES
PURSUANT TO BZCR 409.8.2 AND FOR SUCH OTHER AND FURTHER RELIEF
AS THE ADMINISTRATIVE LAW JUDGE MAY FIND NECESSARY AND
APPROPRIATE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 827-3301

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

HANDICAPPED ACCESSIBLE



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

September 15, 2011

NOTICE OF DELIBERATION

CASE #: 11-279-SPHX **IN THE MATTER OF:** Debbie Sharp and Joseph Campayno,
Legal Owners /Petitioners
8729 Dogwood Road/2nd Election District; 4th Councilmanic District

Re: Petition for Special Hearing to:
 a) Confirm an existing non-conforming unpaved access roadway of variable width;
 b) approve a modified parking plan for a riding stable without a durable and dustless surface and
 without striped parking spaces;
 Petition for Special Exception to approve a riding stable

5/16/11 Opinion and Order issued by Office of Administrative Hearings wherein the Petitions for Special Hearing and Special Exception were granted with conditions.

Having concluded this matter on 9/14/11 a public deliberation has been scheduled for the following:

DATE AND TIME : WEDNESDAY, OCTOBER 12, 2011 at 9:30 a.m.

LOCATION : Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Theresa R. Shelton
Administrator

c: Counsel for Petitioners/Legal Owners	: Charles B. Marek, III, Esquire Jason Vettori, Esquire
Petitioners/Legal Owners	: Debbie Sharp & Joseph Campayno
Protestant/Appellant	: Mr. Thel Moore, Jr.

Jim Hermann	Keith Wills	Cathy Wolfson, Greater Patapsco Community Association
Marcia Brown	Marie Cignatta	

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Office of Planning
Michael E. Field, County Attorney

Arnold Jablon, Director/PAI
Nancy C. West, Assistant County Attorney



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

August 16, 2011

NOTICE OF ASSIGNMENT

CASE #: 11-279-SPHX **IN THE MATTER OF:** Debbie Sharp and Joseph Campayno,
Legal Owners /Petitioners
8729 Dogwood Road/2nd Election District; 4th Councilmanic District

Re: Petition for Special Hearing to:
 a) Confirm an existing non-conforming unpaved access roadway of variable width;
 b) approve a modified parking plan for a riding stable without a durable and dustless surface and
 without striped parking spaces;
 Petition for Special Exception to approve a riding stable

5/16/11 Opinion and Order issued by Office of Administrative Hearings wherein the Petitions for Special Hearing and Special Exception were granted with conditions.

ASSIGNED FOR: WEDNESDAY, SEPTEMBER 14, 2011 AT 10:00 A.M.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

c:	Counsel for Petitioners/Legal Owners	: Charles B. Marek, III, Esquire Jason Vettori, Esquire
	Petitioners/Legal Owners	: Debbie Sharp & Joseph Campayno
	Protestant/Appellant	: Mr. Thel Moore, Jr.

Jim Hermann	Keith Wills	Cathy Wolfson, Greater Patapsco Community Association
Marcia Brown	Marie Cignatta	

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Office of Planning
Michael E. Field, County Attorney

Arnold Jablon, Director/PAI
Nancy C. West, Assistant County Attorney

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 31, 2011 Issue - Jeffersonian

Please forward billing to:

Debbie Sterrett
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2011-0279-SPHX

8729 Dogwood Road

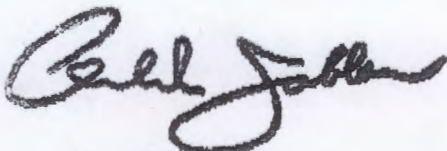
S/west side of Dogwood Road to a private lane, 2000' n/west from Wrights Mill Road

2nd Election District – 4th Councilmanic District

Legal Owners: Debbie Sharp & Joseph Campayno

Special Exception to approve a riding stable and for such other and further relief as the Zoning Commissioner may find necessary and appropriate. Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width pursuant BCZR, 104.1; to approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to BCZR 409.8.2; and for such other and further relief as the Administrative Law Judge may find necessary and appropriate.

Hearing: Monday, April 18, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 28, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0279-SPHX

8729 Dogwood Road

S/west side of Dogwood Road to a private lane, 2000' n/west from Wrights Mill Road

2nd Election District – 4th Councilmanic District

Legal Owners: Debbie Sharp & Joseph Campayno

Special Exception to approve a riding stable and for such other and further relief as the Zoning Commissioner may find necessary and appropriate. Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width pursuant BCZR, 104.1; to approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to BCZR 409.8.2; and for such other and further relief as the Administrative Law Judge may find necessary and appropriate.

Hearing: Monday, April 18, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Charles Marek, 600 Washington Ave., Ste. 200, Towson 21204
Debbie Sharp, Joseph Campayno, 2772 Westminster Road, Ellicott City 21043

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 2, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 0277

Petitioner: Debbie Sharp

Address or Location: 8729 Dogwood Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Debbie Sterrett

Address: 600 Washington Ave.
Stc 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 2/17/11 DT



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 12, 2011

Ms. Debbie Sharp
Mr. Joseph Campayno
2772 Westminister Road
Ellicott City, MD 21043

RE: Case Number 2011-0279SPHX, 8729 Dogwood Rd.

Dear Ms. Sharp & Mr. Campayno,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 19, 2011. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Charles Marek, III, 600 Washington Ave., Ste. 200, Towson, MD 21204
Smith, Gildea & Schmidt, LLC, 600 Washington Ave., Ste. 200, Towson, MD 21204
Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov



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

State Highway
Administration

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

Maryland Department of Transportation

Date: 3-31-2011

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

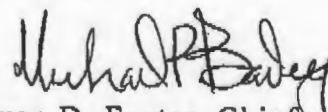
RE: Baltimore County
Item No. 2011-0279-SPHX
8729 DOGWOOD ROAD
CAMPAYNO PROPERTY
SPECIAL EXCEPTION -
SPECIAL HEARING -

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. 2011-0279-SPHX.

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
Access Management Division

SDF/mb



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 28, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 28, 2011**

Item No.:

Administrative Variance: 2011-0272A, 2011-0275A, 2011-0277A-0278A, 2011-0281A

Special Hearing: 2011-0274-SPH, 2011-0279-SPHX, 2011-0280-SPHA, 2011-0282-SPHX

Special Exception: 2011-0279-SPHX, 2011-0282-SPHX

Variance: 2011-0276A, 2011-0280-SPHA

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: March 31, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For April 1, 2011
Item Nos. 2011- 272, 274, 275, 277,
278, 279, 282 and 241

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

*See
revised*

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04012011 -NO COMMENTS.doc

LS
4-18-11

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 8, 2011

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

RECEIVED

APR 08 2011

SUBJECT: Zoning Advisory Committee Meeting
For Item No. 2011-0279 SPHX

OFFICE OF ADMINISTRATIVE HEARINGS

We sent a previous memo, dated March 31, 2011 in which we had no comment. That memo was in error. Below are our comments for this item.

The existing driveway that will be used by the petitioner is used by at least three other homes. For the existing use, the minimum width of pavement would be 16 feet. But since the riding stable is considered a commercial use, the minimum width would be 20 feet. And since horse trailers and other commercial vehicles will be using the driveway, we feel that it is very important for the petitioner to widen the driveway to 20 feet, so that two larger vehicles traveling in opposite directions may pass easily. Similarly, the proposed increased and changed use begs that the driveway be paved with a durable and dustless surface.

Furthermore, the petitioner's plan shows two proposed homes. Under the panhandle regulations, these homes would have to be provided with a durable and dustless surfaced, 16-foot-wide driveway. Since, as shown on the plan, that driveway will pass through the riding stable area, all proposed driveways and parking areas should be paved. Doing so would not only avoid tracking mud and other undesirable debris onto the onsite and offsite driveways, it would allow for smooth and efficient movement of horse trailers, delivery trucks, emergency vehicles and customers.

DAK
cc:file



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 28, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 28, 2011**

Item No.:

Administrative Variance: 2011-0272A, 2011-0275A, 2011-0277A-0278A, 2011-0281A

Special Hearing: 2011-0274-SPH, 2011-0279-SPHX, 2011-0280-SPHA, 2011-0282-SPHX

Special Exception: 2011-0279-SPHX, 2011-0282-SPHX

Variance: 2011-0276A, 2011-0280-SPHA

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION *
8729 Dogwood Road;SW/side of Dogwood * ZONING COMMISSIONER
Road to a private lane, 2000 ft. NW from *
Wrights Mill Road * FOR
2nd Election & 4th Councilmanic District *
Legal Owners: Debbie Sharp & * BALTIMORE COUNTY
Joseph Campayno *
Petitioner(s) * 2011-0279-SPHX

* * * * *

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of March, 2011, a copy of the foregoing Entry of Appearance was mailed to Charles B. Marek, III, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

LS
4-18-11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
APR 14 2011
OFFICE OF ADMINISTRATIVE HEARINGS

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Vincent Gardina, Director; Department of Environmental Protection and
Sustainability (DEPS)

DATE: April 14, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-279-SPHX
Address 8729 Dogwood Road
(Sharp & Campayno Property)

Zoning Advisory Committee Meeting of March 28, 2011.

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

1. From the Groundwater Management Section:

The development of this site raises serious environmental concerns due to the known history of the site as an unregulated dump. As documented in DEPS and MDE files, the site was used primarily as a natural wood waste processing facility in the 1980s, but there is also evidence that a significant quantity of non-permitted wastes were buried on the site including: farm equipment, a pressure tank, a furnace, drywall, scrap metal, tires, railroad ties, plastic, bricks, and concrete. In the late 1980's the site caught on fire and efforts to put out the fire took several years. The available information suggests that the material dumped on the site encompasses at least 5 acres and may be as deep as 22 feet, however, the full extent of the fill material nor its contents has not been adequately characterized.

Consequently, prior to issuance of any building permits or subdivision approval DEPS will require that further environmental investigation be performed to verify that the development of the site will not cause or further exacerbate human health or environmental impacts. At a minimum, the Department will require that a qualified environmental engineering / consulting firm prepare the following:

- Document Review - The site history related to the landfilling activities and environmental monitoring data must be summarized and tabulated.
- Delineation of Fill Areas - The full aerial extent and depth of the fill area must be delineated to determine where and how deep the fill is on the property. Evaluation of historical aerial photographs, topographic maps, and digging of test

pits is recommended as the best way to generate this information. Each test pit must be characterized as to the materials encountered and the depth natural soils.

- Hydrogeologic Assessment of Ground Water Flow – The area is served entirely by private drinking water supplies. In order to determine whether there may be potential impacts to neighboring or proposed on-site drinking water wells, the hydrogeologic conditions on the site must be evaluated to determine where contaminants (if present) will likely migrate in the subsurface.
- Evaluation of Ground Water Quality – Based on the delineation of the fill material and the assessment of groundwater movement beneath the site, ground water samples must be collected at locations approved by the Department and analyzed for metals, VOCs, SVOCs. Results must be summarized and compared with USEPA drinking water standards. There are four monitoring wells known to be on the site. Depending on the condition of the wells and extent of fill areas determined, further monitoring wells may be required to characterize the ground water.
- Evaluation of Soil Gas – Due to the large quantities of wood waste known to be present on the site, methane levels in the shallow subsurface must be evaluated within 50 feet of any of the existing or proposed structures to be used on the site. The soil gas survey should be consistent with USEPA methodologies.
- Risk Assessment – Based upon the information gathered regarding the nature and extent of the fill material, an evaluation must be performed to assess whether the proposed use of the property will pose any significant environmental or human health risks. Any mitigation recommendations (i.e, soil gas venting, water treatment) should be included in the evaluation. In addition, the assessment should include whether there is any potential for impact to any off-site drinking water supplies.

It is unclear from the existing plan whether there will be any grading of the site as part of the development. It should be noted that any contaminated soils that are found or materials unearthed that are not suitable for pasture must be properly disposed of in manner and location approved by the Department.

Reviewer: *Kevin Koepenick; Groundwater Management*

2. From the Environmental Impact Review Section:

- 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).

As noted above development of this site must comply with Article 33. Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains and Article 33. Title 6 Forest Conservation of the Baltimore County Code.

Reviewer: *J. Russo; Environmental Impact Review*

3. From the Agricultural Preservation Section:

The Agricultural Preservation Section of our Department supports the proposal for a horse farm and riding stable as these are agricultural uses that are appropriate in an RC 2 zone, however, there is concern that the proposed residential lot to be subdivided will cause problems down the road. Riding stables and horse farms are intensive uses and the location of a lot to be sold could lead to nuisance conflicts between the two in the future. It is recommended therefore, that the attached nuisance notice be placed in the deed for the new lot and on all subsequent deeds for the proposed lot.

Reviewer: *W.S. Lippincott, Jr. – Agricultural Preservation*

Agricultural Nuisance Note: Any dwelling may be subject to inconveniences or discomforts arising from agricultural operations including but not limited to: noise, odors, fumes, dust, the operations of machinery of any kind during any 24 hour period (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance, if the operation complies with these regulations and all Federal, State, or County health or environmental requirements.

Dave Hyhens /
dropped off DEPS
comments.
Property is former
"stump dump"
(previous owners) &
has lengthy
history

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

LS
4-18-11

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: April 8, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 8729 Dogwood Road

INFORMATION:

RECEIVED

Item Number: 11-279

APR 12 2011

Petitioner: Debbie Sharp and Joseph Campayno

Zoning: RC 2

OFFICE OF ADMINISTRATIVE HEARINGS

Requested Action: Special Exception and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request, accompanying site plan and visited the site.

The Office of Planning recommends denial of the proposed Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width. The addition of a commercial use (riding stables) to a gravel driveway that is currently in poor condition and that already serves 4 existing residential lots, would generate additional traffic, thus causing more damage to the existing unpaved driveway and the increased possibility of conflicts between opposing traffic on the existing driveway. Conflicting traffic on the private driveway could also impact traffic traveling on Dogwood Road.

The Office of Planning recommends denial of a modified parking plan for the riding stable without a durable and dustless surface and stripped spaces.

1. Provide a durable and dustless ingress/egress driveway built to public works standards from Dogwood Road to the subject of the proposal.
2. Provide a durable and dustless parking area for the riding stable.
3. The subject plan was reviewed for the purposes of the requested Special Exception and Special Hearing. Since a plan for subdivision has not been submitted nor reviewed by agencies the plan should be revised to show one lot and one house at this time. The Office of Planning reserves the right to comment on anything outside the scope of what has been requested on the subject petition when an appropriate submittal for subdivision has been submitted.

The Office of Planning does not oppose the petitioner's request for Special Exception to operate a riding stable subject to the aforementioned.

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

Prepared by:

Curtis M. Murray

Division Chief:

JM/LL: CM

James J. Luber



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

August 9, 2011

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

RECEIVED
AUG 9 2011

Dear Mr. Vettori:

**BALTIMORE COUNTY
BOARD OF APPEALS**

RE: Case: 2011-0279-SPHX, 8729 Dogwood Road

Please be advised that an appeal of the above-referenced case was filed in this office on June 7, 2011 by Thel Moore. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

c: Administrative Hearings Office
People's Counsel
Thel Moore, 8721 Dogwood Road, Windsor Mill 21244
Cathy Wolfson, 8434 Dogwood Road, Windsor Mill 21244
Marcia Broom, 8444 Dogwood Road, Windsor Mill 21244
Marie Cignatta, 5 Morning Mist Court, Woodstock 21163

APPEAL

Petition for Special Hearing & Special Exception
8729 Dogwood Road
SW/s Dogwood Rd to a private Ln., 2,000' NW from Wrights Mill
2nd Election District – 4th Councilmanic District
Legal Owners: Debbie Sharp & Joseph Campayno
Case No.: 2011-0279-SPHX

Petition for Special Hearing & Special Exception (March 19, 2011)

Zoning Description of Property

Notice of Zoning Hearing (March 28, 2011)

Entry of Appearance by People's Counsel (March 25, 2011)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – One Sheet

Petitioners' Exhibit – As listed in the Table of Contents (1-31)

Protestants' Exhibits – None

Miscellaneous (Not Marked as Exhibit) -
1. Photos

Administrative Law Judges Order (GRANTED – May 16, 2011)

Notice of Appeal received on June 7, 2011 by Thel Moore

c: People's Counsel of Baltimore County, MS #2010
Arnold Jablon, Director of PAI
Administrative Hearings Office
Jason Vettori
Thel Moore
Cathy Wolfson
Marcia Broom
Marie Cignatta

date sent August 9, 2011, kl

APPEAL

Petition for Special Hearing & Special Exception
8729 Dogwood Road
SW/s Dogwood Rd to a private Ln., 2,000' NW from Wrights Mill
2nd Election District – 4th Councilmanic District
Legal Owners: Debbie Sharp & Joseph Campayno
Case No.: 2011-0279-SPHX

- ✓ Petition for Special Hearing & Special Exception (March 19, 2011)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (March 28, 2011)
- ✓ Entry of Appearance by People's Counsel (March 25, 2011)
- ✓ Petitioner(s) Sign-In Sheet – One Sheet
- Protestant(s) Sign-In Sheet (None)
- ✓ Citizen(s) Sign-In Sheet – One Sheet
- ✓ Petitioners' Exhibit – As listed in the Table of Contents (1-31)
- Protestants' Exhibits (None)
- ✓ Miscellaneous (Not Marked as Exhibit) -
 - ✓ 1. Photos (39 pages)
- ✓ Administrative Law Judges Order (GRANTED – May 16, 2011)
- ✓ Notice of Appeal received on June 7, 2011 by Thel Moore

Address List

Petitioner/Legal Owner:

Debbie Sharp & Joseph Campayno
2772 Westminster Road
Ellicott City, MD 21043

Charles B. Marek, III, Esquire
Jason Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Ave, Ste 200
Towson, MD 21204

Protestant/Appellant:

Mr. Thel Moore, Jr.
9721 Dogwood Road
Windsor Mill, MD 21244

Interested Persons:

Interoffice:

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Office of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

Jim Hermann
1895 Eden Mill Road
Pylesville, MD 21132

Keith Wills
Baltimore County Farm Bureau
1114 Shawan Road
Cockeysville, MD 21030

Cathy Wolfson
Greater Patapsco Community Association
8434 Dogwood Road
Windsor Mill, MD 21244

Marcia Brown
8444 Dogwood Road
Windsor Mill, MD 21244

Marie Cignatta
5 Morning Mist Court
Woodstock (Granite), MD 21163

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Debbie Sharp and Joseph Campayno 11-279-SPHX

DATE: October 12, 2011

BOARD/PANEL: Andrew M. Belt
David L. Thurston
Edward W. Crizer, Jr.

RECORDED BY: Sunny Cannington/Legal Secretary

PURPOSE: To deliberate the following:

1. Petition for Special Hearing to Confirm an existing non-conforming unpaved access roadway of variable width and approve a modified parking plan for a riding stable without a durable and dustless surface and without striped parking spaces; and
2. Petition for Special Exception to approve a riding stable

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

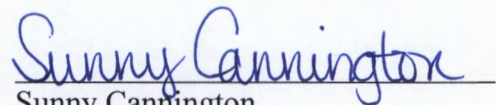
- The Board discussed the history of this matter. The subject property was the site of the Stump Dump. The Petitioners purchased the property and have cleaned it up with the intention of opening a small scale riding stable. The Petitioners intend to stable a maximum of four (4) horses on the site and only provide one-on-one lessons. The Administrative Law Judge granted the Petitions with conditions regarding landscaping. The Protestant appealed that decision.
- The Board discussed the evidence and testimony presented at the hearing. The Protestant indicated that his main concern was with the condition of the access roadway and the increased use. The Board discussed that the property is zoned RC which allows for farms. As a farm use, the proposed riding stable is the most minor type of farm one could have. The Board discussed that as farm uses go, people don't always realize how intense the use can become by using farm equipment. The Board determined that the roadway does need some grading and crush but it held up to the traffic for the Stump Dump so it should hold up to the traffic for the stable. The Board determined that at this time and for the current use, the roadway is adequate and the Petitioners are not yet burdened with the requirement to improve the roadway. The Protestant expressed concern at the hearing about possible future development of the property and the improvement of the road. The Board determined that the concern is irrelevant at this time as the evidence and testimony provided by the Petitioners does not indicate future development of the site. If the site were to be developed in the future, those concerns would be addressed at that time.

DECISION BY BOARD MEMBERS: The Board decided to Grant the Petitions for Special Hearing and Special Exception with the conditions as written by the Administrative Law Judge.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to GRANT the Petitions for Special Hearing and Special Exception with conditions.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Sunny Cannington

Lawrence Stahl - Sharp and Camayno/8729 Dogwood Road (Case No. 2011-279-SPH)

From: Jason Vettori <jvettori@sgs-law.com>
To: "lstahl@baltimorecountymd.gov" <lstahl@baltimorecountymd.gov>
Date: 5/3/2011 9:58 AM
Subject: Sharp and Camayno/8729 Dogwood Road (Case No. 2011-279-SPH)

Mr. Stahl,

I hope you had a pleasant holiday and some relaxing time off. It was my understanding that you wanted me to send a follow up e-mail on the limited issue of landscaping/screening for the benefit of Mr. Thel Moore and his family. My client, after further review of the landscaping/screening issue, responded as indicated below. Please feel free to contact me if you any additional comments, questions or concerns.

Jason T. Vettori
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204
Phone: (410) 821-0070
Facsimile: (410) 821-0071
<http://gildeallc.com>

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

----- Forwarded message -----

From: Debbie Sharp <debbie@quatrefoil.com>
Date: Thu, Apr 21, 2011 at 2:52 PM
Subject: Re: FW: Hearing_Outline.Sharp[1]
To: jason vettori <jasonvettori@hotmail.com>
Cc: jvhermann@gmail.com

Hi Jason,

Per the hearing, we agreed to landscape the fence line between our property and the driveway next to Thel Moore's property. The length is approximately 150 linear feet. We propose planting 15, fast growing, arborvitae evergreen trees, 10 feet apart.

Thanks,

Debbie

Patricia Zook - Re: Case No. 2011-0279-SPHX - 8729 Dogwood Road

From: Patricia Zook
To: Green, David; jvettori@gildeallc.com; tmoor37128@aol.com
Date: 5/17/2011 10:10 AM
Subject: Re: Case No. 2011-0279-SPHX - 8729 Dogwood Road
CC: LSCM265@aol.com; tmoore2@cms.hhs.gov

Good morning Mr. Moore -

The hearing in the above-referenced matter was held and closing arguments received before the presiding Administrative Law Judge on Monday, April 18, 2011. Accordingly, the record in this case was closed.

Mr. Thel Moore's e-mail with its attached photographs were received after the record was closed. No further evidence or documentation can be submitted after the record has been closed. Mr. Moore's e-mail cannot be placed in the subject file nor become part of the record in this matter.

The Order in this case was issued on May 16, 2011 and is in the mail to all parties.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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>>> <tmoor37128@aol.com> 5/16/2011 5:48 PM >>>
Dave,

During the special hearing on the road it was mentioned that the road was packed therefore not needing paving. Today was the first day I was able to be around the home right after the rain with daylight for good pictures. I would like the pictures below submitted to the judge if I could to show what happens after a rain. This road will only get worse when heavy trucks access it, especially after a rain. It only rained for about 20 minutes hard today.

Thanks
Thel Moore, Jr.

-----Original Message-----

From: tmoor37128 <tmoor37128@aol.com>
To: Thel ID <tmoor37128@aol.com>

Patricia Zook - Case 2011-0276-A - hearing on Monday

From: Patricia Zook
To: Livingston, Jeffrey
Date: 4/15/2011 11:37 AM
Subject: Case 2011-0276-A - hearing on Monday

Good morning Jeff -

I wonder if DEPS has a comment on this case that is scheduled for a hearing on Monday.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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2011-0279-SPHX
4-18-11**Patricia Zook - Re: Petition for Special Hearing and Special Exception**

From: David Green
To: tmoor37128@aol.com
Date: 4/5/2011 12:06 PM
Subject: Re: Petition for Special Hearing and Special Exception
CC: Zook, Patricia

Shel Moore Jr

I do have a copy of the plan available for your review. Just call me and a will make it available to you. I will forward this email to the legal secretary for the Hearing Officers.

I will note that you live at 8721 Dogwood Road and your property is closest to the barns, riding stables, parking and out door riding area.

David Allen Green, MBA
 Senior Planner
 Baltimore County Office of Planning
 Jefferson Building
 105 W. Chesapeake Ave. Suite 101
 Towson, Maryland 21204
 (410)887-3480 Fax (410)887-5862

>>> <tmoor37128@aol.com> 4/4/2011 11:20 PM >>>

Dave,

I am writing this email in response to the petition for the special hearing concerning 8729 Dogwood Road scheduled on 18 April 2011. It is my intention to make the hearing on the 18th, however with the pending Government shutdown it may be difficult for me to attend. Therefore, I do want our comments presented for the record.

I have attached a copy of the letter sent to us from Debbie Sharp and Joseph Campayno and our response to their letter. To date we have not received any feedback to the questions we asked in the attached letter we gave them. Now that we see what they are requesting in the hearing has me concerned. It appears in one petition they are requesting to leave the access roadway unpaved. I have serious concerns with this request as I mentioned in my initial letter. If this road will be used for horse trailers, riding lessons, other deliveries to their property, visitors and other traffic will severely increase wear and tear on the fragile access road we have now. I strongly suggest that the road be improved to accommodate all the families back there and safely accommodate what the increased traffic will do to the access road.

In both petitions they are requesting further relief as the Zoning Commissioner may find necessary and appropriate. That is giving them very broad options to do whatever they want back there in terms of the riding lessons. They have stated that they would not have a large scale business for riding lessons and plan on keeping the quiet and seclusion that currently exists. So I would strongly request that the Zoning Commissioner put some parameters around the riding stable to keep it from becoming a riding mill in the future because of a wide open decision. I did request hours of operations in my letter but we have not received a response to date.

In addition, I noticed in their letter they state they will build their personal house toward the back of their property. I am wondering how close to their house or our house will the barn for the horses be located. I am sure they will want the horse barn close to them but I have not seen any drawings or plans on where the barn will be located. The winds do come from that direction and I would be very concerned if the barn was located closer to our property line as opposed to further in on their property. Barn feed and waste bring rodents and the further they are away from our property the better. If your office has a copy of their site plan, would this be something I could view or see prior to the hearing on the 18th? If so, that would be very helpful.

If the special exception they are requesting is granted it will cause a burden to us.

Any assistance your office can provide to help answer some of the questions and concerns we have will be greatly appreciated.

Thel Moore, Jr.

-----Original Message-----

From: David Green <dagreen@baltimorecountymd.gov>
To: tmoor37128 <tmoor37128@aol.com>; oaknob <oaknob@comcast.net>
Sent: Mon, Apr 4, 2011 3:58 pm
Subject: Petition for Special Hearing and Special Exception

Per your request I am forwarding a copy of the Special Exception and Special Hearing Request for 8729 Dogwood Road. The hearing is scheduled for April 18, 2011 at 11:00 AM. Please contact my office if you have more questions.

David Allen Green, MBA
Senior Planner
Baltimore County Office of Planning
Jefferson Building
105 W. Chesapeake Ave. Suite 101
Towson, Maryland 21204
(410)887-3480 Fax (410)887-5862

>>> <planning@baltimorecountymd.gov> 4/4/2011 11:58 PM >>>

2011-0279-5 PHX

LS
4-18-11**Patricia Zook - Re: Petition for Special Hearing and Special Exception**

From: <tmoor37128@aol.com>
To: <dagreen@baltimorecountymd.gov>
Date: 4/7/2011 2:09 PM
Subject: Re: Petition for Special Hearing and Special Exception
CC: <pzook@baltimorecountymd.gov>, <TMoor37128@aol.com>

Thel
moore Jr.

Dave,

I have reviewed the site plan for the proposed special exception and there is no doubt the proposed site plan will cause a burden to us. I wish I had seen this site plan before now, so as not to cause last minute issues but for whatever reason it was not shared with me.

I searched for a long time to find a property that would allow me to rest in peace when I retired from serving my country. While I knew total peace was not possible, I wanted the maximum peace I could afford for my family. The proposed site plan will not allow for any peace if I wanted to look out my office window, put a pool, deck or other back yard activities for my family. The current site plan will have a horse barn and horse manure storage area in direct site and smell of my property. Now I see why Debbie and Joseph want their house on the other side of the property. They don't want that smell anywhere near them.

Road

We have an unpaved access road to the properties back here. When it rains or the weather is bad it causes major problems like deep pot holes, uneven patterns and rough riding. Currently there are 6 people (Mike / Angela, Ed / Wife, Thel / Lisa) who use the road daily. If each of us uses the road once a day for 365 days we will access the road 2,190 times with light trucks and regular motor vehicles. The proposed plan calls for 37 parking spaces at a minimum and if that amount of people access the road once a day for 365 days that will be 13,505 times the road will be accessed by heavy trucks, horse trailers, school buses, light trucks, regular motor vehicles, and other unknown equipment for the care of the stable. Therefore it is very important that the road be commercially paved to with stand all the extra traffic it will incur. If not it will be a nightmare trying to get home after the beating the road could take.

Proposed barn and manure storage area

The current location proposal for the barn and manure storage area is unacceptable. Debbie and Joseph have 35 acres of land to work with and I have just less than 2 acres of land. They have much more flexibility to work with their property than I do. The current location of the barn and manure storage area will allow for the smell stench and rodents to have direct access to my property. In addition the location is in the direct line of the wind direction that will cause the smells to come directly into my leisure area. Currently there are no trees or anything that can provide a valid barrier between the site and the barn and manure pit from my property.

As I review the site plan it amazes me that the barn and manure storage area is so far from the proposed location of the homes to be built. There are multiple places they can move the barn and manure storage area on their 35 acres that will allow for both of us to be smell free of the horse waste and other issues that come with the horses in the barn.

Hours of operation

Debbie and Joseph stated that they would not have a large scale business for riding lessons and plan on keeping the quiet and seclusion that currently exists. I am not familiar with the horse business but having 7 parking spaces for staff, 18 parking spaces for customers, plus 8 parking spaces for horse trailers seems like a fairly large amount of potential traffic for lessons over a long period of time. If the proposed exception is given then I would never have any peace in my backyard again. There is no buffer from their property to mine so I will hear and see all activities related to the horse training and riding. While I am open to hours that will allow them to train and ride, I am clearly not open to giving up all my peace. Especially when they have so much more space and room to operate and move where I would not be impacted.

So I would strongly request that the Zoning Commissioner put some parameters around the riding stable (hours of operation) to keep it from becoming a riding mill in the future because of a wide open decision.

Summary

I want to work with my new neighbors but I do not want to be inconvenienced or have my family inconvenienced. We were there prior to their purchase of the land they currently own and we chose that location for its peace and location to our family, friends, and work. We knew it would be a work in progress for years but we could work on it as we move into our next phase of our family legacy. I had no way of knowing that I would be smelling horse manure all the time or looking at a barn directly with multiple people constantly around. That means the peace and quiet I currently have will go away forever. I would like to minimize it as much as possible. I paid a lot of money for this property and would hate to lose it because I could not stand the smell or increased traffic, along with not being able to sell the home because of the same issues. Then it will make all the extremely hard work I have put in serving my country to afford to buy a property such as mine a waste. I could then lose it all. It is not fair to me and my family.

I hope the zoning commissioner will take all of my thoughts into consideration and not just Debbie and Joseph's thoughts into consideration. In addition, I would like to submit this email for the record. My intention is to attend the hearing, but due to the pending government shut down my attendance may be in jeopardy. I will make every effort to attend the hearing on 18 April 2011.

Thanks

Thel

-----Original Message-----

From: David Green <dagreen@baltimorecountymd.gov>

To: tmoor37128 <tmoor37128@aol.com>

Cc: Patricia Zook <pzook@baltimorecountymd.gov>

Sent: Tue, Apr 5, 2011 12:06 pm

Subject: Re: Petition for Special Hearing and Special Exception

I do have a copy of the plan available for your review. Just call me and I will make it available to you. I will forward this email to the legal secretary for the Hearing Officers.
I will note that you live at 8721 Dogwood Road and your property is closest to the barns, riding stables, parking and outdoor riding area.

David Allen Green, MBA
Senior Planner
Baltimore County Office of Planning
Jefferson Building
105 W. Chesapeake Ave. Suite 101
Towson, Maryland 21204
(410)887-3480 Fax (410)887-5862

>>> <tmoor37128@aol.com> 4/4/2011 11:20 PM >>>

Dave,

I am writing this email in response to the petition for the special hearing concerning 8729 Dogwood Road scheduled on 18 April 2011. It is my intention to make the hearing on the 18th, however with the pending Government shutdown it may be difficult for me to attend. Therefore, I do want our comments presented for the record.

I have attached a copy of the letter sent to us from Debbie Sharp and Joseph Campayno and our response to their letter. To date we have not received any feedback to the questions we asked in the attached letter we gave them. Now that we see what they are requesting in the hearing has me concerned. It appears in one petition they are requesting to leave the access roadway unpaved. I have serious concerns with this request as I mentioned in my initial letter. If this road will be used for horse trailers, riding lessons, other deliveries to their property, visitors and other traffic will severely increase wear and tear on the fragile access road we have now. I strongly suggest that the road be improved to accommodate all the families back there and safely accommodate what the increased traffic will do to the access road.

In both petitions they are requesting further relief as the Zoning Commissioner may find necessary and appropriate. That is giving them very broad options to do whatever they want back there in terms of the riding lessons. They have stated that they would not have a large scale business for riding lessons and plan on keeping the quiet and seclusion that currently exists. So I would strongly request that the Zoning Commissioner put some parameters around the riding stable to keep it from becoming a riding mill in the future because of a wide open decision. I did request hours of operations in my letter but we have not received a response to date.

In addition, I noticed in their letter they state they will build their personal house toward the back of their property. I am wondering how close to their house or our house will the barn for the horses be located. I am sure they will want the horse barn close to them but I have not seen any drawings or plans on where the barn will be located. The winds do come from that direction and I would be very concerned if the barn was located closer to our property line as opposed to further in on their property. Barn feed and waste bring rodents and the further they are away from our property the better. If your office has a copy of their site plan, would this be something I could view or see prior to the hearing on the 18th? If so, that would be very helpful.

If the special exception they are requesting is granted it will cause a burden to us.

Any assistance your office can provide to help answer some of the questions and concerns we have will be greatly appreciated.

Thel Moore, Jr.

-----Original Message-----

From: David Green <dagreen@baltimorecountymd.gov>

To: tmoor37128 <tmoor37128@aol.com>; oaknob <oaknob@comcast.net>

Sent: Mon, Apr 4, 2011 3:58 pm

Subject: Petition for Special Hearing and Special Exception

Per your request I am forwarding a copy of the Special Exception and Special Hearing Request for 8729 Dogwood Road. The hearing is scheduled for April 18, 2011 at 11:00 AM. Please contact my office if you have more questions.

David Allen Green, MBA
Senior Planner
Baltimore County Office of Planning
Jefferson Building
105 W. Chesapeake Ave. Suite 101
Towson, Maryland 21204
(410)887-3480 Fax (410)887-5862

>>> <planning@baltimorecountymd.gov> 4/4/2011 11:58 PM >>>

From: Michael Bagby <jesustheonlysolution@gmail.com>
To: tmoor37128 <tmoor37128@aol.com>
Subject: deb & Joe
Date: Wed, Apr 20, 2011 2:27 pm

This is the letter I gave them sunday night.

THE HEALING

FARM

Debbie & Joe Campayno

8729 Dogwood road

Windsor Mill, MD 21244

April 13, 2010

Dear Debbie & Joe,

We The Bagby family welcome and support your equestrian endeavors. In this economy we must support one another. Our LORD JESUS THE CHRIST is very clear concerning how we should love one another and treat our neighbors.

Mr. Thel Moore and Family are our neighbors too. He supported me in my attempt to develop our land. Unfortunately, as you know, the economy failed, leaving the road unpaved. I put ten thousand plus dollars into the base/foundation of the road. The hill/slope of the road washes out every year.

It is my understanding, in your appeal; there are no plans to improve/upgrade the road. Per our recent conversation, you agreed the need for the road improvement.

I have not, to date, been able to collect any dollars toward the road from my existing neighbor. Debbie and Joe have expressed time after time that they would be willing to contribute to improving the road. I understand your priority to put the barn and horse before the road.

I pray that all of us can work together and build a stronger community.

From: tmoor37128 <tmoor37128@aol.com>

To: dagreen <dagreen@baltimorecountymd.gov>

Cc: pzook <pzook@baltimorecountymd.gov>; TMoor37128 <TMoor37128@aol.com>

Subject: Re: Petition for Special Hearing and Special Exception

Date: Thu, Apr 7, 2011 2:08 pm

Dave,

I have reviewed the site plan for the proposed special exception and there is no doubt the proposed site plan will cause a burden to us. I wish I had seen this site plan before now, so as not to cause last minute issues but for whatever reason it was not shared with me.

I searched for a long time to find a property that would allow me to rest in peace when I retired from serving my country. While I knew total peace was not possible, I wanted the maximum peace I could afford for my family. The proposed site plan will not allow for any peace if I wanted to look out my office window, put a pool, deck or other back yard activities for my family. The current site plan will have a horse barn and horse manure storage area in direct site and smell of my property. Now I see why Debbie and Joseph want their house on the other side of the property. They don't want that smell anywhere near them.

Road

We have an unpaved access road to the properties back here. When it rains or the weather is bad it causes major problems like deep pot holes, uneven patterns and rough riding. Currently there are 6 people (Mike / Angela, Ed / Wife, Thel / Lisa) who use the road daily. If each of us uses the road once a day for 365 days we will access the road 2,190 times with light trucks and regular motor vehicles. The proposed plan calls for 37 parking spaces at a minimum and if that amount of people access the road once a day for 365 days that will be 13,505 times the road will be accessed by heavy trucks, horse trailers, school buses, light trucks, regular motor vehicles, and other unknown equipment for the care of the stable. Therefore it is very important that the road be commercially paved to with stand all the extra traffic it will incur. If not it will be a nightmare trying to get home after the beating the road could take.

Proposed barn and manure storage area

The current location proposal for the barn and manure storage area is unacceptable. Debbie and Joseph have 35 acres of land to work with and I have just less than 2 acres of land. They have much more flexibility to work with their property than I do. The current location of the barn and manure storage area will allow for the smell stench and rodents to have direct access to my property. In addition the location is in the direct line of the wind direction that will cause the smells to come directly into my leisure area. Currently there are no trees or anything that can provide a valid barrier between the site and the barn and manure pit from my property.

As I review the site plan it amazes me that the barn and manure storage area is so far from the proposed location of the homes to be built. There are multiple places they can move the barn and manure storage area on their 35 acres that will allow for both of us to be smell free of the horse waste and other issues that come with the horses in the barn.

Mr. & Mrs. Thel Moore, Jr.
8721 Dogwood Road
Windsor Mill, MD. 21244

06 September 2010

Ms. Debbie Sharp & Mr. Joseph Campayno
8729 Dogwood Road
Windsor Mill, MD 21244

Dear Joe and Debbie:

Let me first thank-you for being good neighbors by taking ownership and cleaning up what was the vacant property next to our home. That property was an eye sore and needed a lot of work.

Your proposal for the farm and land preservation for the property seems very admirable and should bring beauty to our secluded area back here in Baltimore County.

I (Thel) have lived in Baltimore County since 1966. When I purchased the wooded lot we live on now I also had dreams of a nicely secluded home for my family and generations of my family to come. I figured this location would be safe for them environmentally and away from a lot of human traffic. It is for those reasons I offer the following comments/questions:

-Hours of operations: Your letter spoke to evening hours, but it did not speak to hours of operations for these lessons. What are your plans for evening hours? Do you plan to have weekend lessons? Will lessons be seven days a week? When can we expect the last lesson to end? These answers will impact traffic and when we can expect quiet in the area.

-Amount of clients: You mentioned a few riding lessons to select students. I am not familiar with horse lessons so what does a few mean (5 -15, 20 - 30, or more)?

-Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

-Manure runoff - I am not familiar with the county rules on run off and maintenance. I will defer to the county on that one. However, I want to make sure our well water will not be affected.

-Seclusion - I would like your property address to be seen easily from the access road. I want to maintain my seclusion as much as possible. This will also assist in allowing all of us back here to enjoy our investments to the maximum.

6 June 2011

Department of Permits, Applications and Inspections
Zoning Office
111 W Chesapeake Ave
Room 111
Towson, MD. 21204

Re: Appeal for Special Hearing and Special Exception
Case No. 2011-0279-SPHX
Property: 8729 Dogwood Road

Rec'd
4/9/11

To Whom It May Concern:

I, Thel Moore, Jr., of 8721 Dogwood Road, Windsor Mill, MD. 21244, would like to submit an appeal to the decision rendered on, 16 April 2011, for case no. 2011-0279-SPHX.

There are many comments and concerns consistently discussing how the road is not ready for this new intended use and needs to be repaired to allow for safe travels. Below are comments from the Baltimore County Office of Planning, Mike Bagby (neighbor) and Myself (directly impacted neighbor):

-On 8 April 2011, Jeff Mayhew (Acting, Director, Office of Planning) recommended the following:
The Office of Planning recommends denial of the proposed Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width. The addition of a commercial use (riding stables) to a gravel driveway that is currently in poor condition and that already serves 4 existing residential lots, would generate additional traffic, thus causing more damage to the existing unpaved driveway and the increased possibility of conflicts between opposing traffic on the existing driveway. Conflicting traffic on the private driveway could also impact traffic traveling on Dogwood Road.

-On 13 April 2011, Mike Bagby of 8715 Dogwood Road, Windsor Mill, Md. 21244 wrote the following to Debbie Sharp and Joseph Campayno:
It is my understanding, in your appeal; there are no plans to improve/upgrade the road. Per our recent conversation, you agreed the need for the road improvement.
Debbie and Joe have expressed time after time that they would be willing to contribute to improving the road. I understand your priority to put the barn and horse before the road.

-On 6 September 2011, I wrote the following comments to Debbie and Joe with no response:
Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

-On 7 April 2011, I wrote the following for the Special Hearing:
We have an unpaved access road to the properties back here. When it rains or the weather is bad it causes major problems like deep pot holes, uneven patterns and rough riding. Currently there are 6 people (Mike / Angela, Ed / Wife, Thel / Lisa) who use the road daily. If each of us uses the road once a day for 365 days we will access the road 2,190 times with light trucks and regular motor vehicles. The proposed plan calls for 37 parking spaces at a minimum and if that amount of people access the road once a day for 365 days that will be 13,505 times the road will be accessed by heavy trucks, horse trailers, school buses, light trucks, regular motor vehicles, and other unknown equipment for the care of the stable. Therefore it is very important that the road be commercially paved to withstand all the extra traffic it will incur. If not it will be a nightmare trying to get home after the beating the road could take.

Debbie Sharp & Joe Campayno
"Yet To Be Named Farm"
8729 Dogwood Road
Windsor Mill, MD 21244

In October 2010, we purchased 37 ½ acres in Windsor Mill with the dream of creating a small, private horse farm. Unbeknownst to us, we purchased the infamous "stump dump," a piece of land that was used as a landfill for stumps, construction rubble, old trailers, tires and trash. You name it, we've found it. The past ten months of our lives have been spent removing tons of unwanted debris and separating it for recycling. And we've only scratched the surface.

Our short term goal for the property includes the addition of a barn, pastures, and corrals to house our personal horses, a few mares for breeding and riding, and the occasional rescued horse for retraining. We plan on building an eight-stall barn, have an 80' x 200' indoor riding ring to keep the horses exercised year round, and an attractive mobile home for a caretaker to live on the property.

Debbie will be teaching a few riding lessons each week to select students. With a belief in the classical training of horse and rider, not running groups of people through a "lesson mill" to make money, the instruction will be taught on a private or semi-private basis. This will keep traffic and parking to a minimum and maintain our secluded neighborhood as a peaceful retreat. We decided upon a fully-enclosed riding ring to keep down noise levels and to avoid the use of outdoor vapor lights during evening hours.

We are strong advocates of conservation, recycling, sustainability and green practices... which makes our property purchase extremely ironic. The Baltimore County Soil Conservation District is working closely with us to develop "best management practices" for water runoff, manure maintenance, and pasture upkeep. Water collection from our roofs will be used for irrigation to ease the burden on our wells and we hope to be "off-the-grid" in a few years by using alternative sources of energy. As remediation of the land continues, more pastures will be added, and trees planted. Invasive weeds will be replaced by native plants in the wetland areas to create wildlife conservation zones, perhaps for the reintroduction of threatened species. We may also be purchasing some yaks and goats to work as environmentally friendly weed-whackers.

One of our greatest hopes is to offer our farm to the Windsor Mill school district as part of an educational outreach program. Through informal learning, our local children will have the opportunity to experience ecology, sustainable farming, animal husbandry and green practices in a real, hands-on environment.

In approximately five years, we would like to build our private home toward the back of the property. We are also talking with Baltimore County about Land Preservation to maintain our property's unique beauty for generations to come.

Greater Patapsco Community Association, Inc.
PO Box 31
Woodstock, MD 21163-0031
Cathy Wolfson, President 410.245.8708

Re: Case # 2011-0279-SPHX
8729 Dogwood Road
Baltimore, MD 21244

On behalf of our organization and it's over 400 members we submit the following comments regarding the above referenced case:

Ms. Sharp and Mr. Campayno submitted their proposal for our membership's review at our general meeting in June 2010. We did not oppose their plans for the property. In August 2010 Ms. Sharp submitted a letter to us outlining their plans for the property. Both that letter and the site data are consistent with each other.

We take exception with the office of Planning's review which requires an ingress/egress driveway built to public work standards.

I did visit the site this week. They have will have yoemen's work to restore the land on that property.

Locally we recall that Baltimore County was perfectly happy for the former property owner at this site, Mr. James Jett to run the now legendary stump dump there in the 1980's which generated dozens of daily tractor trailer trips in and out of that same right of way on the same surface and accessed by the same two lane ditched roads which we use today.

Further two homes have been built on an adjacent property zoned RC-2. That property owner requested upzoning to RC5 in the 2008 CZMP cycle. That request was denied. We anticipate that the request will be renewed in 2012. It is unreasonable to ask the Sharps/Campaynos to provide an upgrade which will benefit adjacent property owners and which was not required for heavy truck traffic. The cost will be a deal breaker for them.

We consider that a ballpark projection of 200,000 square feet (1/2 mile x 16', plus parking spaces) of impervious surface will have an egregiously negative impact on our local environment and Brice's Run which is at least 1/2 mile from the entrance.

We welcome the use of this riding stable as proposed in our community.

April 18, 2011 - Cathy Wolfson

Mr. & Mrs. Thel Moore, Jr.
8721 Dogwood Road
Windsor Mill, MD. 21244

06 September 2010

Ms. Debbie Sharp & Mr. Joseph Campayno
8729 Dogwood Road
Windsor Mill, MD 21244

Dear Joe and Debbie:

Let me first thank-you for being good neighbors by taking ownership and cleaning up what was the vacant property next to our home. That property was an eye sore and needed a lot of work.

Your proposal for the farm and land preservation for the property seems very admirable and should bring beauty to our secluded area back here in Baltimore County.

I (Thel) have lived in Baltimore County since 1966. When I purchased the wooded lot we live on now I also had dreams of a nicely secluded home for my family and generations of my family to come. I figured this location would be safe for them environmentally and away from a lot of human traffic. It is for those reasons I offer the following comments/questions:

-Hours of operations: Your letter spoke to evening hours, but it did not speak to hours of operations for these lessons. What are your plans for evening hours? Do you plan to have weekend lessons? Will lessons be seven days a week? When can we expect the last lesson to end? These answers will impact traffic and when we can expect quiet in the area.

-Amount of clients: You mentioned a few riding lessons to select students. I am not familiar with horse lessons so what does a few mean (5 -15, 20 - 30, or more)?

-Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

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-Seclusion - I would like your property address to be seen easily from the access road. I want to maintain my seclusion as much as possible. This will also assist in allowing all of us back here to enjoy our investments to the maximum.

Debbie Sharp & Joseph Campayno
8729 Dogwood Road
Windsor Mill, MD 21244

Mr. & Mrs. Thel Moore
8721 Dogwood Rd.
Windsor Mill, MD 21244

Dear Thel and Lisa:

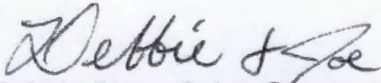
As you know, we've spent the last few months clearing junk and debris from the front of our property. Now it is finally time, almost one year later, for us to turn the old "stump dump" into a beautiful, green horse farm.

Zoning ordinances allow us to have a farm for the breeding and training of horses, but a Special Exception is required to teach riding lessons. Our attorney is filing a "riding stable" request with Baltimore County, and said it would be very helpful to have letters of support from our neighbors before we have the hearing. If you have time to write a short letter this week and pop it into our mailbox, it would be most appreciated.

We've attached a brief description of our long term goals for the farm. Please be assured that the riding lessons will not be taught as a large scale business. We chose our property for its quiet seclusion, and plan on keeping it that way. If you have any questions, we can be reached at 410-480-5495 or 443-762-8749 (Deb's cell.)

We feel blessed to have such nice neighbors, and look forward to sharing our farm with you and your children.

Best Regards,


Debbie Sharp & Joe Campayno

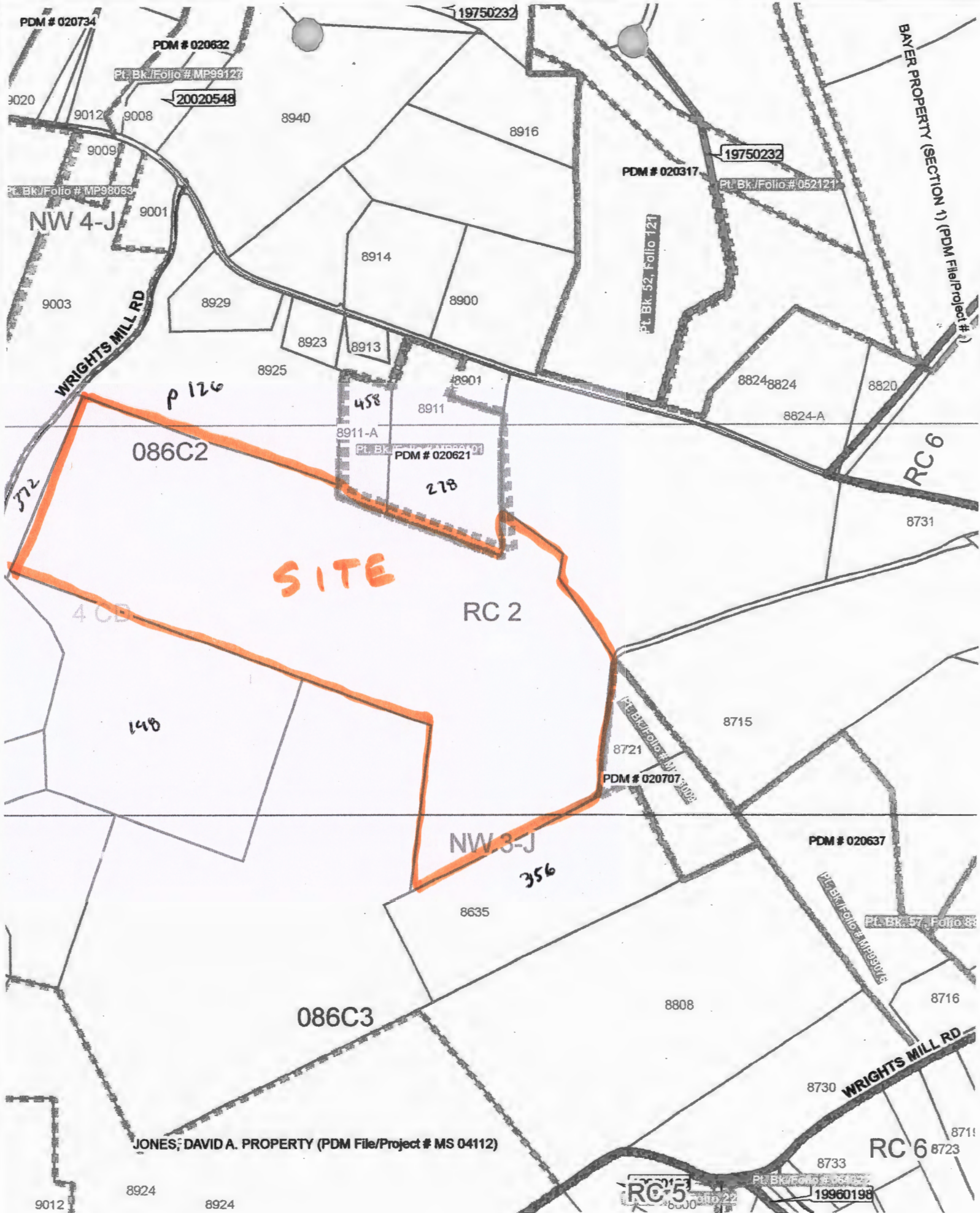
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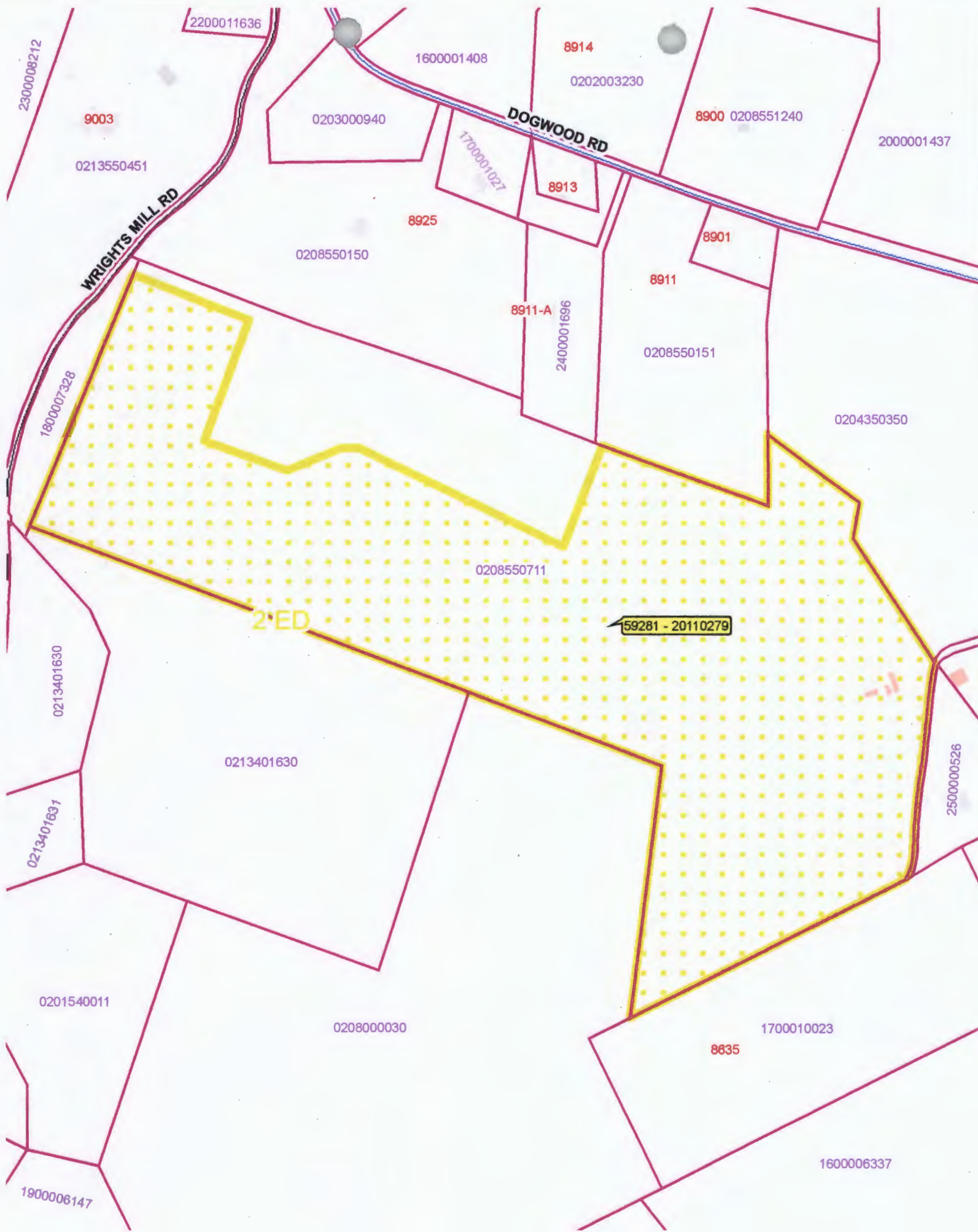
CASE NAME _____
CASE NUMBER _____
DATE _____

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CASE NAME 201102795PHX
CASE NUMBER _____
DATE 18 April 2011

[illegible]





















BOA Exhibits
9/14/11

Case No: 11-279 SPHX Case Name: Sharp & Campayno

Exhibit List

Party: Petitioners: Sharp & Campayno Date: 9/14/2011

Exhibit No:	Description:
✓ 1	Page 19 of 1 Maryland FARM POLICY Handbook
✓ 2	SITE PLAN
✓ 3	Concrete structure / Future site of BARN
✓ 4a	Chapter 699 HB 955
✓ 4b	Article Maryland Equine
✓ 4c	BCo Master Plan
✓ 5	Soil Evaluation Test & various Letters
✓ 6	Bagby Subdivision Plan
✓ 7	Zoning Advisory Committee opinions
✓ 8	Notes Zoning Advisory Committee meeting 4/1/11
✓ 9	Zoning Commissioner Decision Case No 06-400-SPH
✓ 10	RC 2 Zoning Regulations
✓ 11	Definition of Riding stable BC Code
✓ 12 A	Letter memo to Sharp
VERIFIED BY <u>tn</u> DATE: <u>9/15/11</u>	

Case No: 11-279-SP4X Case Name: Sharp! Campaign

Exhibit List

Party: Petitioners: Sharp! Campaign Date: 9/14/2011

Exhibit No:	Description:
✓ 12 B	Support Letter Maryland Horse Council
✓ 12 C	Letter FROM Kenneth Oliver
✓ 12 D	Letter FROM Edward Bourne
✓ 12 E	Letter FROM Cathy Wolfson
✓ 12 F	Letter FROM Bagby
✓ 12 G	Letter FROM Victoria Devere
✓ 13	BCo Zoning Regulations 1A01.5
✓ 14	BCC 35-303(b)
VERIFIED BY <u>tr</u> DATE: <u>9/15/11</u>	

Other Alternative Energy Sources

We encourage research, development and utilization of alternative energy sources from methane, biomass, wind, nuclear, solar, hydrogen, hydro and clean natural gas. '08

Additionally, we urge that this process be aided by appropriate government tax incentives. '07

We support the use of on-farm wind and solar energy production to provide electric energy for the farm and to be sold to the energy grid. We encourage state and county governments to provide regulatory support and encouragement for wind generators and turbines to help offset farm energy costs. '10

Outdoor Wood Burning Furnaces

Outdoor wood fired boilers/furnaces that utilize approved emission control systems and EPA best burn practices for Hydronic heaters should be allowed. '08

ENVIRONMENTAL STANDING

We recommend no changes be made to Maryland's "Standing Law," which negatively affects the state's economy and the private property rights of individuals. '07

We support the reversal of any laws to increase standing to special interest groups. '10

EQUINE INDUSTRY

We support the inclusion of inventories of the various classes of equine in the state in future MDA and NASS agriculture statistical surveys. '07

We support the recognition of equine as part of the agricultural industry and not as companion animals. Riding lessons, boarding or training given on a farm should be considered a part of the normal agriculture practices. We support measures to improve the Maryland Bred Program within the Thoroughbred and Standardbred Industry. '05

We support the current contributory negligence liability standard that protects livestock owners in Maryland from frivolous lawsuits. We oppose passage of legislation that would use a comparative negligence standard to determine awards based on the extent of each party's responsible actions. '04

We support the creation of state debt to fund the Maryland Horse Park. '05

We support the establishment of a permanent, federally operated import/export quarantine facility for livestock in the state of Maryland. We urge the USDA and MDA to work toward its establishment. '05

FAMILY VALUES

We recommend that the Maryland legislature and the Governor should: (1) Pass legislation to make parents more accountable for the destructive action of their children; and (2) Have the party involved more monetarily liable for the destructive action they cause. If they are financially unable to pay, they should do so through community service. The monetary amount should be determined and paid in full. '05

FARM SERVICE AGENCY - COUNTY COMMITTEES

We recommend that the State FSA Administration grant more power to the county committees to adequately staff county offices. '07

We recommend more farmer input on FSA office closures before any implementation occurs. '05

We support strong coordination of efforts between NRCS and FSA in modernization and consolidation of offices and services. '06

Peterson #3



A 90

CHAPTER 699

(House Bill 955)

AN ACT concerning

Maryland Horse Industry Board – Equine Activities

FOR the purpose of providing that certain activities are not subject to certain provisions of law relating to the Maryland Horse Industry Board; requiring that equine activities be treated as agricultural activities for the purposes of certain provisions of law; defining a certain term; and generally relating to the Maryland Horse Industry Board and equine activities.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–701 and 2–702
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Agriculture
Section 2–702.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

2–701.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Board” means the Maryland Horse Industry Board.
- (c) “Boarding stable” means an establishment that stables five or more horses and receives compensation for these services.
- (d) **“EQUINE ACTIVITIES” INCLUDES TEACHING EQUESTRIAN SKILLS, PARTICIPATING IN EQUESTRIAN COMPETITIONS, EXHIBITIONS OR OTHER DISPLAYS OF EQUESTRIAN SKILLS, AND CARING FOR, BREEDING, BOARDING, RENTING, RIDING, OR TRAINING HORSES.**

4B Petri Homsen

FREE

MARYLAND'S SOURCE OF EQUINE INFORMATION SINCE 1990

EQUUS

MARCH
2011

THE

www.equus.com

THE WHACKER

2010 Maryland Steeplechase Association
Novice Timber Horse of the Year
Ridden by Billy Santoro, owned by Robert
Kinsley and trained by Tom Voss

© Bob Keller

Steeplechase

Celebrating Maryland's History and Future

STEEPLECHASE ASSOCIATION
615 S. 10TH ST.
P.O. BOX 100
PACIFIC, WA 98043
TEL: 206-451-1100
FAX: 206-451-1101
WWW.STEEPLECHASEASSOCIATION.COM

Part 5: The Rural County



INTRODUCTION

Master Plan 2010 reinforces the goal of earlier master plans to protect agricultural and sensitive environmental areas of the rural county from development encroachment.

The urban-rural demarcation line (URDL) was established to provide a boundary between urban and rural areas. Land use and zoning reinforce this concept. Rural areas are defined as areas located outside the URDL that do not have public water or sewer service. The reliance on well and septic systems drastically limits options for development, and zoning and land use reflect the associated environmental constraints.

Rural areas receive only those levels of service necessary to protect the rural land management uses and to address basic public health, safety and welfare requirements of rural residents. Infrastructure is planned not to accommodate population expansion, but simply to address existing population levels and needs. In a rural area, it is expected that roads will be narrower and traffic slower, and that homes will be located further from schools. Medical facilities, stores, and other services and amenities will be located within urban areas, and to some extent, rural commercial centers. It is not cost-effective for the county to provide increased levels of service where population density does not justify them. Providing these services would also threaten the protection and preservation of important natural resources.

There are more than 66,000 residents living in the rural portion of the county. Residential development has proceeded at a fairly steady rate in recent years with an average of 443 residential occupancy permits issued annually since 1990. Land management areas that have been established for the rural portion of the county include agricultural preservation areas, resource preservation areas, rural residential areas and rural commercial centers. Each designated area has its own unique value, and will be discussed further in the section "Land Use in Rural Areas."



Master Plan 2010 reinforces the goal to protect the agricultural and sensitive environmental areas of the rural county.



BALTIMORE COUNTY
M A R Y L A N D



JAMES T. SMITH, JR.
County Executive

January 26, 2006

DAVID A.C. CARROLL, *Director*
Department of Environmental Protection
and Resource Management

Mr. Bruce Doak
GERHOLD CROSS & ETZEL LTD
320 E TOWSONTOWN BLVD
SUITE 100
TOWSON MD 21286

RE: Jett Property, Lots 1 & 2, 8637A & 8637 Dogwood Road, D-2

Dear Mr. Doak,

A representative of this office, Clare M. Brunner, R.S., conducted soil evaluations on 01/09/2006 regarding the above-referenced lot(s). Prior to granting approval of the soil percolation tests, a revised plan, drawn to a scale no greater than 1" equals to 100', must be submitted to this office and contain the following:

- Topography of the property
- Accurate location(s) of:
 - All completed test pits and proposed sewage disposal reserve area(s)
 - Proposed water well(s)
 - Proposed dwelling(s)
 - Existing water well(s) on site and within 100 ft. of the property lines
 - Existing septic system(s) on site and within 100 ft. of the property lines
 - Existing underground storage tank(s) on site and within 100 ft. of the property lines
- Show all monitoring & irrigation wells onsite and indicate future disposition.
- Show limits of fill onsite and fill depth.
- Show neighboring proposed well and SRA for Bozley Property

Due to the known use of this property as a disposal site, the Department, in accordance with Baltimore County Code, Section 34-1-101, is requiring that the owner/developer submit a hydrogeologic study of the proposed subdivision. The study must be conducted by a qualified environmental engineering/consulting firm and include an accurate delineation and description of the fill area along with an evaluation of ground water, soil, and soil gas conditions beneath the proposed lots. Testing parameters should include, but may not be limited to, metals, volatile organic compounds and methane. Based on the analytical information collected, the study must also include a risk assessment for the proposed residential use of the site.

Mr. Bruce Doak
January 26, 2006
Page 2

In order to subdivide this property, the owner/developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. For additional subdivision information, contact the Development Coordination office at 410-887-5859.

IN ORDER TO FACILITATE PROCESSING OF THE PROJECT, WE REQUEST THAT THE REVISED PLANS BE SUBMITTED DIRECTLY TO THE SANITARIAN WHO CONDUCTED THE SOIL TESTS.

Please also contact that sanitarian for any further information or questions

Sincerely, .

J. Robert Powell, R.S.
Soil Evaluation Program

J:\PERC LETTERS\2006 PERC LETTERS\Revised Plan Letters\Dogwood Rd.,8637 & 8637A,1-26-06.doc Revised 7-04

**Department of Permits and
Development Management**

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



Petition ER Exhibit #7
Baltimore County

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

March 13, 2006

Michael A. Bagby
5 Putting Way
Reisterstown, MD 21136-5921

Dear Mr. Bagby:

RE: Case Number: 06-400 SPH, 8633 Dogwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 16, 2006.

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

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel, Ltd. Mike Alexander 320 E. Towsontowne Bkvd, Ste 100
Towson 21286

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



Printed on Recycled Paper

Petitioner Exhibit #8



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, Chief
Fire Department

March 28, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 28, 2011**

Item No.:

Administrative Variance: 2011-0272A, 2011-0275A, 2011-0277A-0278A, 2011-0281A

Special Hearing: 2011-0274-SPH, 2011-0279-SPHX, 2011-0280-SPHA, 2011-0282-SPHX

Special Exception: 2011-0279-SPHX, 2011-0282-SPHX

Variance: 2011-0276A, 2011-0280-SPHA

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

Petitioner Exhibit #9

IN RE: PETITION FOR SPECIAL HEARING
1,521' W c/l of Dogwood Road, 2,055'
NW Wrights Mill Road
(8633 Dogwood Road)
2nd Election District
4th Council District

Michael A. Bagby
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 06-400-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Michael A. Bagby. As filed, the Petitioner requests a special hearing to approve a waiver of public works standards from Section 32-4-409(b) of the B.C.D.R.¹, to allow access to the proposed lots by way of a right-of-way in lieu of the required in fee ownership. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing and testifying on behalf of the Petitioner was Bruce E. Doak with Gerhold, Cross & Etzel, Ltd., the consultants who prepared the site plan for this property and Michael A. Bagby, owner and site developer. There were no Protestants or other interested citizens from the locale in attendance.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located approximately 1,500 feet to the west of the right-of-way for Dogwood Road, north of Wrights Mill Road in the Granite/Woodstock area of the county. The property contains a gross area of 4.05 acres, more or less, zoned R.C.2 and currently undergoing a minor subdivision process (PDM 06-009-M). The Petitioner is desirous of subdividing his property to

¹ At the outset of the hearing, the Petition was corrected by interlineation to correct the relief requested as follows: "to approve access to the local street (Dogwood Road) through the existing right-of-way, which is 16 feet wide and approximately 1,935 feet long, in lieu of the required in-fee strip, pursuant to Section 32-4-409(c) of the Baltimore County Code (B.C.C.), for proposed Lot(s) 1 and 2.

ORDER RECEIVED FOR FILING
Date 4-25-06
By [Signature]

§ 1A01.2**Use regulations.****A.**

Preferred use permitted as of right. Agricultural operations, when conducted in accordance with good and reasonable husbandry practices, shall be afforded preferential treatment over and above all other permitted uses in R.C.2 Zones.

B.

Uses permitted as of right.

Editor's Note: "Churches and schools for agriculture training," originally included in this section by Bill No. 98-1975, were moved to Section 1A01.2.C by Bill No. 178-1979.

The following uses only are permitted as of right in all R.C.2 Zones:

[Bill No. 178-1979]

1.

Dwellings, one-family detached.

[Bill No. 178-1979]

2.

Farms and limited acreage wholesale flower farms (Section 404).

[Bill Nos. 178-1979; 51-1993]

3.

Open space, common.

[Bill No. 178-1979]

4.

Public schools.

[Bill Nos. 63-1980; 47-1982; 47-1985]

5.

Streets and ways.

[Bill No. 178-1979]

6.

Telephone, telegraph, electrical-power or other lines or cables, provided that any such line or cable is underground; underground gas, water or sewer mains or storm drains; or other underground conduits, except interstate or international pipelines.

[Bill No. 178-1979]

7.

Trailers, provided that any trailer allowed under this provision must be used or stored in accordance with the provisions of Subsection B, C, E or F of Section 415.1 and Section 415.2.A.1 or 415.3.C.1, as applicable.

[Bill No. 178-1979]

8.

Antennas used by CATV systems operated by companies franchised under Article 25 of the Baltimore County Code, if situated on property owned by the county, state or federal government or by a governmental agency.

[Bill Nos. 220-1981; 137-2004]

destination. This term includes carpools, vanpools or similar arrangements where more than one person occupies a vehicle for the length of a trip. [Bill No. 26-1988]

✓ **RIDING STABLE** — A building where riding horses are boarded or kept for hire.³¹

RUBBLE — Building demolition debris, tree stumps and other land clearing debris, solidified road paving debris and other similar wastes authorized by the approving authority. Rubble does not include garbage, friable asbestos, refractory brick, liquid petroleum products, hazardous materials (as defined in § 7-101 of the Environment Article of the Annotated Code of Maryland) or free liquid. [Bill Nos. 97-1987; 137-2004]

RUBBLE LANDFILL — Rubble landfill means a system of rubble disposal or land reclamation for public or private use for which a permit has been issued if required. [Bill No. 97-1987]

RURAL CLUSTER DEVELOPMENT — A form of residential subdivision for use in an R.C.4 Zone in which the permitted density for an entire tract is located only on a designated portion of the tract in order to preserve significant natural, scenic or historic features. [Bill No. 113-1992]

SANITARY LANDFILL — A planned and systematic method of disposal for garbage and other wastes whereby such waste material is placed so that it is thoroughly compacted and covered at the end of each day's operation with such depth and consisting of such types of materials as are acceptable to the Baltimore County Departments of Health and Public Works and the Maryland State Department of Health. When the fill is completed, a covering of such depth and consisting of such types of materials as are acceptable to the aforesaid county and state departments shall be provided. [Bill No. 145-1962]

SATELLITE RECEIVING DISH — A device used or designed to receive electromagnetic signals from earth-orbiting satellites and other extraterrestrial sources and is external to or is attached to the ground or the exterior of any building. The term "satellite receiving dish" includes satellite earth station, satellite television antenna, satellite dish antenna or any other device designed to receive signals from satellites in the manner described above. For the purposes of these regulations, accessory satellite receiving dishes shall not be considered wireless telecommunications antennas or radio operator antennas. [Bill Nos. 71-1987; 30-1998]

SAWMILL OPERATION — The process whereby sawlogs are debarked and sawn into dimension lumber. Such operations include, but are not limited to, forestry and logging operations, harvesting, extracting, transporting, processing, yarding, drying, finishing, marketing and shipping of dimension lumber or ancillary products such as firewood, slabs, edging and trim, sawdust, mulch and chips. [Bill No. 151-1992]

SECONDHAND STORE — A retail or consignment establishment that sells items that have previously been worn or used by others, but not including an antique shop, flea market or pawn shop. [Bill No. 102-2005]

31. Editor's Note: The former definition of "rooming house" which followed this definition was repealed by Bill No. 124-1993.

Mr. & Mrs. Thel Moore, Jr.
8721 Dogwood Road
Windsor Mill, MD. 21244

06 September 2010

Ms. Debbie Sharp & Mr. Joseph Campayno
8729 Dogwood Road
Windsor Mill, MD 21244

Dear Joe and Debbie:

Let me first thank-you for being good neighbors by taking ownership and cleaning up what was the vacant property next to our home. That property was an eye sore and needed a lot of work.

Your proposal for the farm and land preservation for the property seems very admirable and should bring beauty to our secluded area back here in Baltimore County.

I (Thel) have lived in Baltimore County since 1966. When I purchased the wooded lot we live on now I also had dreams of a nicely secluded home for my family and generations of my family to come. I figured this location would be safe for them environmentally and away from a lot of human traffic. It is for those reasons I offer the following comments/questions:

-Hours of operations: Your letter spoke to evening hours, but it did not speak to hours of operations for these lessons. What are your plans for evening hours? Do you plan to have weekend lessons? Will lessons be seven days a week? When can we expect the last lesson to end? These answers will impact traffic and when we can expect quiet in the area.

-Amount of clients: You mentioned a few riding lessons to select students. I am not familiar with horse lessons so what does a few mean (5 -15, 20 - 30, or more)?

-Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

-Manure runoff - I am not familiar with the county rules on run off and maintenance. I will defer to the county on that one. However, I want to make sure our well water will not be affected.

-Seclusion - I would like your property address to be seen easily from the access road. I want to maintain my seclusion as much as possible. This will also assist in allowing all of us back here to enjoy our investments to the maximum.



Re: Art 122 Exhibit
12B

Maryland Horse Council
P.O. Box 233
Lisbon, MD 21765
www.mdhorsecouncil.org

Member Associations

Carroll County Equestrian Council; Chesapeake Plantation Walking Horse Club; Cloverleaf Standardbred Owners Association; Days End Farm Horse Rescue, Inc.; Elkridge Harford Hunt; Equine Rescue and Rehabilitation, Inc.; Fair Hill International; Howard County Iron Bridge Hounds; Humane Society of Carroll County; League of Maryland Horsemen; Marlborough Hounds; Maryland 4-H Foundation; Maryland Association for Wildlife Conservation; Maryland Association of Equine Practitioners; Maryland Combined Training Association; Maryland Council of Equestrian Therapies; Maryland Dressage Association; Maryland Equestrian Foundation/Rosaryville Conservancy; Maryland Farriers Association; Maryland Horse Breeders Association; Maryland Horse Shows Assoc.; Maryland Jockey Club; Maryland Standardbred Breeders Assoc.; Maryland State Quarter Horse Association; Maryland Thoroughbred Horsemen's Association, Inc.; Mid-Atlantic Saddlebred Association; MidAtlantic Farm Credit; New Market Middletown Valley Hounds; Pasadena Horse and Pony Club; Plantation Walking Horses of Maryland; Potomac Hunt Club; Potomac Valley Dressage Association; Trail Riders of Today; Tuckahoe Equestrian Center; Wicomico Hunt

Dear Honorable Kenneth Oliver and distinguished members of the County Council,

On behalf of the 30,000 equine business owners and horse enthusiasts the Maryland Horse Council represents, we support Ms. Debbie Sharp and Mr. Joe Campayno in their efforts to obtain a special exception to Case Number: 2011-0279-SPHX to build an equine barn and facility on their property located at 8729 Dogwood Road, Windsor Mill, Maryland.

In 2009, Governor O'Malley signed into House Bill 955 "Maryland Horse Industry Board -Equine Activities" codified as MD. CODE ANN., [AGRIC.] §2-702.1 wherein "equine activities shall be treated as agricultural activities for the purpose of this subtitle." These equine activities include, but are not limited to, "...caring for, breeding, boarding, renting, riding, or training horses." *Id.* at §2-701(d).

Both the General Assembly and Governor O'Malley felt this important piece of legislation was necessary to encourage agricultural pursuits and preserve the State's farmland. According to the United States Department of Agriculture and State estimates, Maryland lost 873,000 acres of productive farmland between 1950 and 2007. <http://www.green.maryland.gov/mdgpi/12.asp>

It is vital that both our state and local governments do everything in their power to encourage residents to pursue agricultural uses for their land so that we prevent further loss of farmland. Please grant this special exception so Ms. Sharp and Mr. Campayno can ensure that their land remains both productive and agricultural.

We also look forward to working with the Baltimore County Council on our Save The Horse Farms Campaign, which is an effort to ensure that all Maryland counties treat horse farms as agriculture and have zoning practices that promote rather than discourage the facility improvements that are needed to make horse farms viable agricultural enterprises.

Sincerely,

Steuart Pittman
President, Maryland Horse Council



**Baltimore County
Soil Conservation District**

1114 Shawan Road, Suite 4
Cockeysville, Maryland 21030-1385
Phone (410) 527-5920
Fax (410) 527-1528



Petitioner Exhibit

NC

22 October 2010

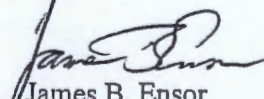
The Honorable Kenneth Oliver
Baltimore County Council
400 Washington Ave. Room 205
Towson, MD. 21204

Dear Councilman Oliver and distinguished members of the County Council:

The Baltimore County Soil Conservation District was approached by Debbie Sharp to assist her with starting a small horse farm located on 8729 Dogwood Rd. Her property is the former Jett Property, known as the "Stump Dump". Her goal is to have an "environmentally friendly" farm. She requested the District to prepare a Soil Conservation and Water Quality Plan to assist her in developing her farm. The Soil Conservation and Water Quality Plan included recommended best management practices (bmps) to reduce erosion and runoff from the farm and protect Baltimore County's water quality. Ms. Sharp was very receptive of our recommendations and is planning to install the bmps on her farm. The bmps include good pasture management, manure control, and roof runoff management.

The District supports her plans for creating a small horse farm in Baltimore County. Her initiative to contact the Baltimore County Soil Conservation District to assist her with the planning of this farm shows her commitment to protecting the environment of Baltimore County and continuing the County's agricultural tradition.

Sincerely,


James B. Ensor
District Manager

Edward Flynn Bourn
8635 Dogwood Rd.
Windsor Mill, Md.
21244

April 10, 2011

To Whom It May Concern:

This is in regards to Debbie Sharp & Joseph Campagno at 8729 Dogwood Rd; Windsor Mill, Md. 21244. This is the acreage that used to be the notorious "Stump Dump."

We live right on the edge of part of their property. We are impressed and happy with all the work they're doing on this property. Their plans of turning it into a "working horse farm." impresses us and we welcome it. We are "horse" people ourselves and thoroughly enjoy and we welcome it. This huge "project" of recovery they've endeavored on. A beautiful green pastured land committed to horses is actually appreciated on our part. We can't wait to see the finished project!

We ourselves are horse people who've made our living with race horses. I, Lynn, am a former jockey and ex-trainer. My husband, Edward still shoes horses as a farrier. We have no problem with the teaching of a few riding lessons. I think this gives people and opportunity to learn and bond with horses that's not excessive anymore. We hope you approve of their request to have a "riding stable." We feel this is a great improvement of the "mess" of a stump dump left behind. Thank you for your time.

Sincerely, Lynn Bourn
Edward Bourn

Petitioner Exhibit 12E

Subject: RE: Debbie & Joe Property

From: "Cathy Wolfson" <cwolfson@gpca.net>

Date: Thu, 14 Oct 2010 14:29:53 -0400

To: "'Debbie Sharp'" <debbie@quatrefoil.com>

CC: "'Wright, Sr., Ralph'" <wright261@verizon.net>, "'Bruce'" <bmezger@comcast.net>,

"'Kelley, Marty'" <martyingranite@live.com>, "'Cignatta, Marie'" <mcig123@yahoo.com>,

"'Clarence'" <sleceoch@aol.com>, "'Jakob Goodmuth'" <jgoodmuth@gmail.com>

To: Debbie Sharp
Joe Campayno

Re: 8729 Dogwood Road
Windsor Mill, MD 21244

The officers and board have reviewed your proposal and do not object to the plans for your site as they are outlined in the attached proposal which you emailed to us on August 25, 2010.

Please keep us posted on your progress!

Kind regards,

Cathy Wolfson, president
Greater Patapsco Community Association
PO Box 31
Woodstock, MD 21163
410-245-8708

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Horse Farm Goals (2).docx	Content-Type: application/vnd.openxmlformats-officedocument.wordprocessingml.document Content-Encoding: base64
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THE HEALING FARM

Debbie & Joe Campayno
8729 Dogwood road
Windsor Mill, MD 21244

April 13, 2010

Dear Debbie & Joe,

We The Bagby family welcome and support your equestrian endeavors. In this economy we must support one another. Our LORD JESUS THE CHRIST is very clear concerning how we should love one another and treat our neighbors.

Mr. Thel Moore and Family are our neighbors too. He supported me in my attempt to develop our land. Unfortunately, as you know, the economy failed, leaving the road unpaved. I put ten thousand plus dollars into the base/foundation of the road. The hill/slope of the road washes out every year.

It is my understanding, in your appeal; there are no plans to improve/upgrade the road. Per our recent conversation, you agreed the need for the road improvement.

I have not, to date, been able to collect any dollars toward the road from my existing neighbor. Debbie and Joe have expressed time after time that they would be willing to contribute to improving the road. I understand your priority to put the barn and horse before the road.

I pray that all of us can work together and build a stronger community.

Again, you have my support and prayers.

Always GOD CHRIST BLESS,



Michael Bagby & Family.

8715 Dogwood Road, Windsor Mill, MD 21244

(410) 984-2103

Website: www.jesustheonlysolution.com Email: jesustheonlysolution@gmail.com

PETITIONER' S

EXHIBIT NO.

12F

TO: Baltimore County Government

Subject: Debbie Sharp & Joe Campayno Hearing

FROM: Victoria Ann Dever

Your Honor,

I am writing this letter in support of Debbie Sharp & Joe Campayno's request for a riding stable on their agricultural property in Baltimore County.

I have known Debbie and Joe since the summer of 2000 when Debbie became the riding instructor for my daughter Christine who was then the age of 12. What is significant to relate is at the age of 18 months all her development stopped and she was diagnosed as autistic with little chance of a "normal" life. To fast forward, Christine mainstreamed into public school, but still had severe fine and gross motor delays. In the summer of 2000, after much pleading on her part, and much trepidation on mine, I finally let her take riding lessons. Although her passion and drive surpassed most children, the instructors one by one chose not to teach Christine as they would rather work with more "gifted" riders. I looked one last time for someone to work with Christine so she didn't have to feel like a failure, and that's when I found Debbie.

Debbie worked patiently with Christine and always made it fun. She never made her feel less than her other students. She always gave her extra time and never asked for more money, as is the standard practice. Within a year, Christine had the confidence to work as a summer barn assistant and then weekend manger of a 40-horse stable while attending high school.

As a parent I had done all I could to build her self-esteem – little did I know that additional help would come in the form of a riding instructor. I totally give credit to Debbie for empowering my daughter; teaching her not just about horses, but about the perseverance needed to achieve one's goals. Today, Christine is a graduate from the University of Maryland and is now pursuing her Doctorate of Physical Therapy at Long Island University in New York. Debbie taught my daughter lessons well beyond riding.

When Joe and Debbie purchased their farm in 2009, I eagerly helped on weekends to clean up the trash and debris dumped by others. I don't know many people who would take on land that had been as abused as this site, and work many hours outside of their full time jobs, at their own expense, to personally clean it up. This property known as the "stump dump" today looks like a clean beautiful piece of property ready to become the farm it was meant to be. Every piece of the thousands of pounds of material that has been collected has been recycled, not just dumped into another landfill, which would have been the easy path to take. Debbie and Joe take "green practices" and preservation of the environment to heart.

I have met some of the best people this country has to offer while serving as a Special Forces officer in the US Air Force. Debbie and Joe are up there with the finest I have had the honor and privilege to know. I have never met people more committed to give back to their community and their fellow man.

PETITIONER'S 12

EXHIBIT NO. 16

area between two and 100 acres may be subdivided into more than two lots (total), and such a lot having a gross area of more than 100 acres may be subdivided only at the rate of one lot for each 50 acres of gross area. In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right-of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record. [Bill Nos. 199-1990; 125-2005]

2. Lot size. A lot having an area less than one acre may not be created in an R.C.2 Zone.
3. Setback requirements. No principal structure or dwelling (whether or not it is a principal structure) in an R.C.2 Zone may be situated within 75 feet of the center line of any street or within 35 feet of any lot line other than a street line.
4. Principal dwellings per lot. No more than one principal dwelling is permitted on any lot in an R.C.2 Zone.

§ 1A01.4. Maryland Agricultural Land Preservation Program. [Bill Nos. 178-1979; 137-2004]

The use or development of land in an agricultural district established in accordance with Title 2, Subtitle 5 of the Agriculture Article of the Annotated Code of Maryland shall be governed by agricultural land preservation provisions enacted by the County Council pursuant to § 2-513 of the Agriculture Article in the case of any conflict between those provisions and these regulations.

§ 1A01.5. Inconveniences arising from agricultural operations. [Bill No. 34-2009]

Any dwelling, business or use in or near an R.C. 2 Zone may be subject to inconveniences or discomforts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of machinery of any kind during any twenty-four-hour period (including aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements.

Baltimore County Code

§ 35-3-303. ADDITIONAL REQUIRED NOTICES.

(a) *Notice of no public sewer or water or of panhandle lot.*

(1) A property owner shall include the following notices, as applicable, in:

(i) A contract for the sale of the property; and

(ii) An advertisement displayed on the property or in a handbill, newspaper, or other printed matter.

(2) (i) If the property is not served by a public sewer or water supply system, the notice shall state:

1. That the property is not served by a public sewer or water supply system; and

2. Whether the property is equipped with a private sewer or water supply.

(ii) If the property lot is a panhandle lot as defined under § 32-4-101 of the Code, the notice shall state that:

1. The property is a panhandle lot; and

2. The county is not responsible for maintaining the road, removing snow, or providing trash collection along the panhandle driveway.

(b) *Notice of RC 4 zone.* A contract for the sale of real estate in or within 500 feet of any RC 4 zone shall contain notice that:

(1) The property may be subject to inconveniences or discomforts arising from agricultural operations, including:

(i) Operation of machinery of any kind including aircraft, during any 24-hour period;

(ii) The storage and disposal of manure; and

(iii) The application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides; and

(2) The county will not consider an agricultural operation to be a public or private nuisance if the operation:

(i) Complies with all federal, state, or county health and zoning

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4	Letter of Appeal to Baltimore County
5	Office of Planning Recommendations
6	Mike Bagby Letter to Debbie & Joe
7	Letter to Debbie & Joe from The
8	Follow-up letter to Dave Green & Patti Zook
9	9-1 thru 9-7 16 May 2011 Photos
10	10-1 thru 10-8 7 Sept 2011 Photos
11	County Tax Bill
12	CV - The Moore, JR.
13	Office of Planning Mission
14	Letter & Description from Debbie & Joe
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Case No: 11-279 SPHX Case Name: Sharp & Campayno

Exhibit List

Party: Mr. Thel Moore, Jr Date: 9/14/2011

Exhibit No:	Description:
✓ 1	BCo - Notice of Assignments
✓ 2	Opinion - Case No: 2011-0279
✓ 3	E-mail - Patti Zook
✓ 4	Letter of Appeal to BCo
✓ 5	OFFICE OF Planning Recommendations
✓ 6	Mike Bagby Letter
✓ 7	Letter to Sharp & Campayno
✓ 8	Letter to Green / Zook
✓ 9	Road Pictures 9-1 to 9-7
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✓ 11	County TAX BILL
✓ 12	Moore Resumes
✓ 13	BCo Website - OFFICE OF Planning
✓ 14	Letter from Sparks & Campayno
VERIFIED BY <u>tw</u> DATE: <u>9/15/11</u>	



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

August 16, 2011

NOTICE OF ASSIGNMENT

CASE #: 11-279-SPHX **IN THE MATTER OF:** Debbie Sharp and Joseph Campayno,
Legal Owners /Petitioners
8729 Dogwood Road/2nd Election District; 4th Councilmanic District

Re: Petition for Special Hearing to:
a) Confirm an existing non-conforming unpaved access roadway of variable width;
b) approve a modified parking plan for a riding stable without a durable and dustless surface and without striped parking spaces;
Petition for Special Exception to approve a riding stable

5/16/11 Opinion and Order issued by Office of Administrative Hearings wherein the Petitions for Special Hearing and Special Exception were granted with conditions.

ASSIGNED FOR: WEDNESDAY, SEPTEMBER 14, 2011 AT 10:00 A.M.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

c: Counsel for Petitioners/Legal Owners	: Charles B. Marek, III, Esquire Jason Vettori, Esquire
Petitioners/Legal Owners	: Debbie Sharp & Joseph Campayno
Protestant/Appellant	: Mr. Thel Moore, Jr.

Jim Hermann Keith Wills Cathy Wolfson, Greater Patapsco Community Association	
Marcia Brown Marie Cignatta	

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Office of Planning
Michael E. Field, County Attorney

Arnold Jablon, Director/PAI
Nancy C. West, Assistant County Attorney

**IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION**

SW side of Dogwood Road to a private
Lane; 2,000 feet NW from Wrights Mill
2nd Election District
4th Councilmanic District
(8729 Dogwood Road)

Debbie Sharp and Joseph Campayno
Legal Owners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY

CASE NO. 2011-0279-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings consideration of Petitions for Special Hearing and Special Exception filed by the legal property owners, Debbie Sharp and Joseph Campayno. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- To confirm an existing non-conforming unpaved access roadway of variable width pursuant to B.C.Z.R. Section 104.1; and
- To approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to B.C.Z.R. Section 409.8.2; and
- For such other and further relief as the Administrative Law Judge may find necessary and appropriate.

The Special Exception request is as follows:

- To approve a riding stable; and
- For such other and further relief as the Administrative Law Judge may find necessary and appropriate.

From: Patricia Zook <pzook@baltimorecountymd.gov>

To: Thel Moore Jr <tmoor37128@aol.com>

Subject: Re: Case No. 2011-0279-SPHX - 8729 Dogwood Road

Date: Thu, May 19, 2011 9:20 am

Any party of record may file an appeal. If you wish to do so, you need to contact the Zoning Review Office at 410 887 3868 and ask to talk with an appeals clerk. There is fee for filing an appeal.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

>>> Thel Moore Jr <tmoor37128@aol.com> 5/18/2011 9:52 PM >>>
Ms Zook,

I received the information today. It allows for a 30 day appeal. Is that how I can address the road paving or fixing issue?

Thanks
Thel, Jr.

Patricia Zook <pzook@baltimorecountymd.gov> wrote:

Good morning Mr. Moore -

The hearing in the above-referenced matter was held and closing arguments received before the presiding Administrative Law Judge on Monday, April 18, 2011. Accordingly, the record in this case was closed.

Mr. Thel Moore's e-mail with its attached photographs were received after the record was closed. No further evidence or documentation can be submitted after the record has been closed. Mr. Moore's e-mail cannot be placed in the subject file nor become part of the record in this matter.

The Order in this case was issued on May 16, 2011 and is in the mail to all parties.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

6 June 2011

Department of Permits, Applications and Inspections
Zoning Office
111 W Chesapeake Ave
Room 111
Towson, MD. 21204

Re: Appeal for Special Hearing and Special Exception
Case No. 2011-0279-SPHX
Property: 8729 Dogwood Road

To Whom It May Concern:

I, Thel Moore, Jr., of 8721 Dogwood Road, Windsor Mill, MD. 21244, would like to submit an appeal to the decision rendered on, 16 April 2011, for case no. 2011-0279-SPHX.

There are many comments and concerns consistently discussing how the road is not ready for this new intended use and needs to be repaired to allow for safe travels. Below are comments from the Baltimore County Office of Planning, Mike Bagby (neighbor) and Myself (directly impacted neighbor):

-On 8 April 2011, Jeff Mayhew (Acting, Director, Office of Planning) recommended the following: The Office of Planning recommends denial of the proposed Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width. The addition of a commercial use (riding stables) to a gravel driveway that is currently in poor condition and that already serves 4 existing residential lots, would generate additional traffic, thus causing more damage to the existing unpaved driveway and the increased possibility of conflicts between opposing traffic on the existing driveway. Conflicting traffic on the private driveway could also impact traffic traveling on Dogwood Road.

-On 13 April 2011, Mike Bagby of 8715 Dogwood Road, Windsor Mill, Md. 21244 wrote the following to Debbie Sharp and Joseph Campayno:
It is my understanding, in your appeal; there are no plans to improve/upgrade the road. Per our recent conversation, you agreed the need for the road improvement.
Debbie and Joe have expressed time after time that they would be willing to contribute to improving the road. I understand your priority to put the barn and horse before the road.

-On 6 September 2011, I wrote the following comments to Debbie and Joe with no response:
Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

-On 7 April 2011, I wrote the following for the Special Hearing:
We have an unpaved access road to the properties back here. When it rains or the weather is bad it causes major problems like deep pot holes, uneven patterns and rough riding. Currently there are 6 people (Mike / Angela, Ed / Wife, Thel / Lisa) who use the road daily. If each of us uses the road once a day for 365 days we will access the road 2,190 times with light trucks and regular motor vehicles. The proposed plan calls for 37 parking spaces at a minimum and if that amount of people access the road once a day for 365 days that will be 13,505 times the road will be accessed by heavy trucks, horse trailers, school buses, light trucks, regular motor vehicles, and other unknown equipment for the care of the stable. Therefore it is very important that the road be commercially paved to withstand all the extra traffic it will incur. If not it will be a nightmare trying to get home after the beating the road could take.

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: April 8, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 8729 Dogwood Road

INFORMATION:

Item Number: 11-279

Petitioner: Debbie Sharp and Joseph Campayno

Zoning: RC 2

Requested Action: Special Exception and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request, accompanying site plan and visited the site.

The Office of Planning recommends denial of the proposed Special Hearing to confirm an existing non-conforming unpaved access roadway of variable width. The addition of a commercial use (riding stables) to a gravel driveway that is currently in poor condition and that already serves 4 existing residential lots, would generate additional traffic, thus causing more damage to the existing unpaved driveway and the increased possibility of conflicts between opposing traffic on the existing driveway. Conflicting traffic on the private driveway could also impact traffic traveling on Dogwood Road.

The Office of Planning recommends denial of a modified parking plan for the riding stable without a durable and dustless surface and stripped spaces.

1. Provide a durable and dustless ingress/egress driveway built to public works standards from Dogwood Road to the subject of the proposal.
2. Provide a durable and dustless parking area for the riding stable.
3. The subject plan was reviewed for the purposes of the requested Special Exception and Special Hearing. Since a plan for subdivision has not been submitted nor reviewed by agencies the plan should be revised to show one lot and one house at this time. The Office of Planning reserves the right to comment on anything outside the scope of what has been requested on the subject petition when an appropriate submittal for subdivision has been submitted.

The Office of Planning does not oppose the petitioner's request for Special Exception to operate a riding stable subject to the aforementioned.

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

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From: Michael Bagby <jesustheonlysolution@gmail.com>
To: tmoor37128 <tmoor37128@aol.com>
Subject: Fwd: deb & Joe
Date: Mon, May 2, 2011 11:59 am

I am resending this letter, I forwarded to you about 2 weeks ago.

----- Forwarded message -----
From: Michael Bagby <jesustheonlysolution@gmail.com>
Date: Wed, Apr 20, 2011 at 2:27 PM
Subject: deb & Joe
To: tmoor37128@aol.com

This is the letter I gave them sunday night.
FARM

THE HEALING

Debbie & Joe Campayno
8729 Dogwood road
Windsor Mill, MD 21244

April 13, 2010

Dear Debbie & Joe,

We The Bagby family welcome and support your equestrian endeavors. In this economy we must support one another. Our LORD JESUS THE CHRIST is very clear concerning how we should love one another and treat our neighbors.

Mr. Thel Moore and Family are our neighbors too. He supported me in my attempt to develop our land. Unfortunately, as you know, the economy failed, leaving the road unpaved. I put ten thousand plus dollars into the base/foundation of the road. The hill/slope of the road washes out every year.

It is my understanding, in your appeal; there are no plans to improve/upgrade the road. Per our recent conversation, you agreed the need for the road improvement.

Mr. & Mrs. Thel Moore, Jr.
8721 Dogwood Road
Windsor Mill, MD. 21244

06 September 2010

Ms. Debbie Sharp & Mr. Joseph Campayno
8729 Dogwood Road
Windsor Mill, MD 21244

Dear Joe and Debbie:

Let me first thank-you for being good neighbors by taking ownership and cleaning up what was the vacant property next to our home. That property was an eye sore and needed a lot of work.

Your proposal for the farm and land preservation for the property seems very admirable and should bring beauty to our secluded area back here in Baltimore County.

I (Thel) have lived in Baltimore County since 1966. When I purchased the wooded lot we live on now I also had dreams of a nicely secluded home for my family and generations of my family to come. I figured this location would be safe for them environmentally and away from a lot of human traffic. It is for those reasons I offer the following comments/questions:

-Hours of operations: Your letter spoke to evening hours, but it did not speak to hours of operations for these lessons. What are your plans for evening hours? Do you plan to have weekend lessons? Will lessons be seven days a week? When can we expect the last lesson to end? These answers will impact traffic and when we can expect quiet in the area.

-Amount of clients: You mentioned a few riding lessons to select students. I am not familiar with horse lessons so what does a few mean (5 -15, 20 - 30, or more)?

-Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

-Manure runoff - I am not familiar with the county rules on run off and maintenance. I will defer to the county on that one. However, I want to make sure our well water will not be affected.

-Seclusion - I would like your property address to be seen easily from the access road. I want to maintain my seclusion as much as possible. This will also assist in allowing all of us back here to enjoy our investments to the maximum.

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From: David Green <dagreen@baltimorecountymd.gov>
To: tmoor37128 <tmoor37128@aol.com>
Cc: Patricia Zook <pzook@baltimorecountymd.gov>
Subject: Re: Petition for Special Hearing and Special Exception II-279
Date: Thu, Apr 7, 2011 2:34 pm

Thank you for input. Per our discussion, I will send forward my comment to you early next week.

David Allen Green, MBA
Senior Planner
Baltimore County Office of Planning
Jefferson Building
105 W. Chesapeake Ave. Suite 101
Towson, Maryland 21204
(410)887-3480 Fax (410)887-5862

>>> <tmoor37128@aol.com> 4/7/2011 2:08 PM >>>

Dave,

I have reviewed the site plan for the proposed special exception and there is no doubt the proposed site plan will cause a burden to us. I wish I had seen this site plan before now, so as not to cause last minute issues but for whatever reason it was not shared with me.

I searched for a long time to find a property that would allow me to rest in peace when I retired from serving my country. While I knew total peace was not possible, I wanted the maximum peace I could afford for my family. The proposed site plan will not allow for any peace if I was forced to look out my office window, put a pool, deck or other back yard activities for my family. The current site plan will have a horse barn and horse manure storage area in direct site and smell of my property. Now I see why Debbie and Joseph want their house on the other side of the property. They don't want that smell anywhere near them.

Road

We have an unpaved access road to the properties back here. When it rains or the weather is bad it causes major problems like deep pot holes, uneven patterns and rough riding. Currently there are 6 people (Mike / Angela, Ed / Wife, Thel / Lisa) who use the road daily. If each of us uses the road once a day for 365 days we will access the road 2,190 times with light trucks and regular motor vehicles. The proposed plan calls for 37 parking spaces at a minimum and if that amount of people access the road once a day for 365 days that will be 13,505 times the road will be accessed by heavy trucks, horse trailers, school buses, light trucks, regular motor vehicles, and other unknown equipment for the care of the stable. Therefore it is very important that the road be commercially paved to withstand all the extra traffic it will incur. If not it will be a nightmare trying to get home after the beating the road could take.

Proposed barn and manure storage area

The current location proposal for the barn and manure storage area is unacceptable. Debbie and Joseph have 35 acres of land to work with and I have just less than 2 acres of land. They have much

9-1



9-2



9-3



9-4



95



9-6



9-7



10-1



10-2



10-3



10-4



10-5



10-6



10-7



10-8

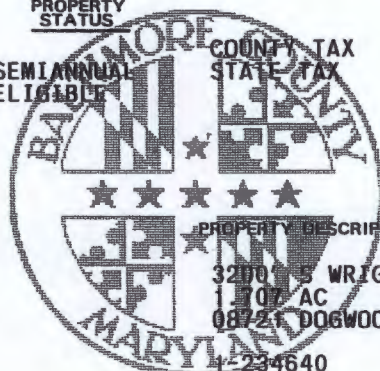


**TAXPAYER'S COPY
DETACH AND RETAIN
TELEPHONE: 410-887-2403**

LEVY PERIOD
JULY 1, 2011-JUNE 30, 2012

<u>RATE</u> <u>PER \$100</u>	<u>TAXES/CHARGES</u>
1.10	5,754.10
.112	585.87

OWNER'S NAME AND ADDRESS
MOORE THEL
8721 DOGWOOD RD
BALTIMORE MD 21244



PROPERTY DESCRIPTION
3200 S WRIGHTS MILL RD
1.107 AC
08721 DOGWOOD
1-234640

GROSS BILL 6.339.97

LOT	BLOCK	SEC	PLAT	BOOK	FOLIO
1			MS	00	000

CONSTANT YIELD 1.0943 DIFFERENCE 0.0057

INTEREST/ DISCOUNT
NET TOTAL

**MAIL TO: BALTIMORE COUNTY
P.O. BOX 64281
BALTO. MD. 21264-4281**

CYCLE BILL DATE
SA 07/01/2011 1-234640

OWNER'S NAME AND ADDRESS

**FIRST SEMIANNUAL
PAYMENT CHARGES**

50% COTAX	2,877.05
50% STTAX	292.94

<u>IF PAID IN</u>	<u>DISCOUNT</u>	<u>PAY THIS AMOUNT</u>
JUL-2011	28.77-	3,141.22
AUG-2011	14.39-	3,155.60
SEP-2011		3,169.99

SECOND SEMIANNUAL PAYMENT

DEC-2011 3.169.98

MOORE THEL
8721 DOGWOOD RD
BALTIMORE MD 21244

250000052620124SA007003141220031556000316999000000000000000000000000

**MAIL TO: BALTIMORE COUNTY
P.O. BOX 64281
BALTO. MD. 21264-4281**

CYCLE	BILL DATE
FY	07/01/2011

OWNER'S NAME AND ADDRESS

**FULL ANNUAL
PAYMENT CHARGES**

COTAX	5,754.10
STTAX	585.87

<u>IF PAID IN</u>	<u>DISCOUNT OR INTEREST</u>	<u>PAY THIS AMOUNT</u>
JUL-2011	57.54-	6,282.43
AUG-2011	28.77-	6,311.20
SEP-2011		6,339.97
OCT-2011	31.70	6,371.67

MOORE THEL
8721 DOGWOOD RD
BALTIMORE MD 21244

250000052620124FY007006282430063112000633997006371670000000000000000

Thel Moore, Jr., MBA, BSN, RN, CM/DN
CAPT, USPHS,
7500 Security Blvd.
Baltimore, MD. 21244
410-786-0267

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Cover Page

Performance

- Recommended for Admiral on last three COER's.
- Received Exceptional Proficiency Promotion to O-6.
- Received Exceptional Proficiency Promotion to O-5.
- Received the Outstanding Service Medal in recognition for additional duties and contributions.
- Received CMS Administrators Award for leading performance measurement in CMS.
- Received Unit Commendation for Flu Shot Deployment
- Participating member of the Baltimore COA Chapter.

Education, Training, and Professional Development

- MBA/Healthcare Administration, University of Phoenix 2005
- BSN, Coppin State College, Baltimore, MD 1994
 - **Total CE Hours: 97 Hours**
- Registered Nurse, State of Maryland AUG 2012 expiration
- AHA BLS course JUL 2013 expiration

Career Progression and Potential

Title	Agency / Location	Pay Grade	Billet Level	Dates
CMS Liaison*	CMS/OOM/AMD Baltimore, MD	O-6	O-6	Jan-09 - present
Deputy Director	CMS/OFM/PIG Baltimore, MD	O-6	O-6	Jan 08 – Jan 09
Acting Deputy Director	CMS/OFM/PIG Baltimore, MD	O-5	O-6	Dec 07 – Jan 08
Director	CMS/OFM/BAG Baltimore, MD	O-5	O-6	Apr 05 – Dec 07
Acting Deputy Director	CMS/OFM/FSG Baltimore, MD	O-4	O-6	Aug 04 – Apr 05
Director	CMS/OFM/BAG Baltimore, MD	O-4	O-6	Apr 03 – Aug 04
Program Analyst	CMS/OFM/PI Baltimore, MD	O-4	O-5	Oct 02 – Apr 03
Program Analyst	CMS/OFM/PI Baltimore, MD	O-3	O-4	Mar 01 – Oct 02

*** Additional Duties: CMS Surgeon General Policy Advisory Council (SGPAC) Representative, SGPAC Chairperson, CMS Senior Lead Officer**

Assimilation: 08 November 2006.

Characteristics of Career Officer and Service to the CORPS

- PHS Board Appointment
- Mentor for Ten officers at the Centers for Medicare and Medicaid Services
- Participating member of the Black Commissioned Officers Group.
- Volunteer time and speak with high school and college students about the Commission Corps.

Readiness

- Completed requirements for Basic Level Readiness and remain current.

Andrea Van Arsdale, Director

Jefferson Building
105 W. Chesapeake Ave.
Suite 101
Towson, MD 21204
planning@baltimorecountymd.gov
Tel: 410-887-3211
Fax: 410-887-5862

Working closely with citizens, elected officials, and other government agencies, the Baltimore County Department formulates policies, plans and regulations to guide future growth and to preserve and enhance existing communities.

The Baltimore County Charter gives the Department broad responsibility for the County's master plan and zoning regulations. Other major duties of the office are related to its role as staff to the Planning Board, the Landmarks Preservation Commission and the Design Review Panel.

The links listed below offer more information on the wide variety of the office's activities. You can also find out more about specific planning activities that may affect your community by checking [Projects in Process](#), or by contacting your [community planner](#).

The Department encourages all citizens to become involved in shaping the future of Baltimore County.

Major Activities of the Department

- The planning office provides staffing for three volunteer citizen advisory boards/commissions.

[Planning Board](#) —recommends, reviews and approves planning proposals.

[Landmarks Preservation Commission \(LPC\)](#) —reviews development plans involving historic properties, and approves sites for placement on the County's Preliminary Landmarks List.

[Design Review Panel](#) —reviews development plans for designated areas.

- [Master Plan](#): The Department prepares a Master Plan every 10 years, monitors its implementation, and prepares progress reports.
- [Community Planning](#): A community planner is assigned to each of the seven council districts. Among other duties, the planners prepare local community plans to be adopted by the County Council as amendments to the Master Plan.
- [Development Review](#): Community planners and development review staff review development proposals.
- [Historic Preservation](#): Staff conducts research and administers County policy and regulations.
- [Zoning](#): The office administers the Comprehensive and Cycle

Citizen Input Welcome on
Capital Improvements



October 6, 2011



BALTIMORE COUNTY



14

Debbie Sharp & Joe Campayno
"Yet To Be Named Farm"
8729 Dogwood Road
Windsor Mill, MD 21244

In October 2010, we purchased 37 ½ acres in Windsor Mill with the dream of creating a small, private horse farm. Unbeknownst to us, we purchased the infamous "stump dump," a piece of land that was used as a landfill for stumps, construction rubble, old trailers, tires and trash. You name it, we've found it. The past ten months of our lives have been spent removing tons of unwanted debris and separating it for recycling. And we've only scratched the surface.

Our short term goal for the property includes the addition of a barn, pastures, and corrals to house our personal horses, a few mares for breeding and riding, and the occasional rescued horse for retraining. We plan on building an eight-stall barn, have an 80' x 200' indoor riding ring to keep the horses exercised year round, and an attractive mobile home for a caretaker to live on the property.

Debbie will be teaching a few riding lessons each week to select students. With a belief in the classical training of horse and rider, not running groups of people through a "lesson mill" to make money, the instruction will be taught on a private or semi-private basis. This will keep traffic and parking to a minimum and maintain our secluded neighborhood as a peaceful retreat. We decided upon a fully-enclosed riding ring to keep down noise levels and to avoid the use of outdoor vapor lights during evening hours.

We are strong advocates of conservation, recycling, sustainability and green practices... which makes our property purchase extremely ironic. The Baltimore County Soil Conservation District is working closely with us to develop "best management practices" for water runoff, manure maintenance, and pasture upkeep. Water collection from our roofs will be used for irrigation to ease the burden on our wells and we hope to be "off-the-grid" in a few years by using alternative sources of energy. As remediation of the land continues, more pastures will be added, and trees planted. Invasive weeds will be replaced by native plants in the wetland areas to create wildlife conservation zones, perhaps for the reintroduction of threatened species. We may also be purchasing some yaks and goats to work as environmentally friendly weed-whackers.

One of our greatest hopes is to offer our farm to the Windsor Mill school district as part of an educational outreach program. Through informal learning, our local children will have the opportunity to experience ecology, sustainable farming, animal husbandry and green practices in a real, hands-on environment.

In approximately five years, we would like to build our private home toward the back of the property. We are also talking with Baltimore County about Land Preservation to maintain our property's unique beauty for generations to come.

Sharp & Campayno- 8729 Dogwood Road

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28	Charter (Article V)

29 Photos of what contractor wants to do

30 Permit till 9:55

31 James Hermann Name



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8729 Dogwood Road
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)

See Attached

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special 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:

Charles B. Marek, III
Name - Type or Print _____
Signature CBM III _____
Company
Smith, Gildea & Schmidt, LLC
600 Washington Ave, Suite 200 410-821-0070
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Debbie Sharp
Name - Type or Print _____
Signature Debbie Sharp _____
Joseph Campayno
Name - Type or Print _____
Signature Joseph Campayno _____
2772 Westminster Road 410-480-5495
Address _____ Telephone No. _____
Ellicott City MD 21043
City _____ State _____ Zip Code _____

Representative to be Contacted:

Charles B. Marek, III
Name _____
600 Washington Ave, Suite 200 410-821-0070
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. _____

REV 9/15/98

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property

located at 8729 Dogwood Road

which is presently zoned R.C. 2

Deed Reference: 28934 / 422 Tax Account # 02-0208550

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

SEE ATTACHED

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

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

I/We do solemnly declare and affirm, under the 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:

Charles B. Marek, III

Name - Type or Print

Signature

Smith, Gildea & Schmidt

Company

600 Washington Avenue, Suite 200

410-821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. _____

REV 07/27/2007

Legal Owner(s):

Debbie Sharp

Name - Type or Print

Signature

Joseph Campayno

Name - Type or Print

Signature

2772 Westminster Rd.

410-480-5495

Address

Ellicott City

MD

Telephone No.

21043

City

State

Zip Code

Representative to be Contacted:

Charles B. Marek, III

Name

600 Washington Avenue, Suite 200

410-821-0070

Address

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

CERTIFICATE OF POSTING

2011-0279-SPHX

RE: Case No.: _____

Petitioner/Developer: _____

Debbie Sharp & Joseph Campayno**April 18, 2011**

Date of Hearing/Closing: _____

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

Attn: Kristen Matthews:

Ladies and Gentlemen:

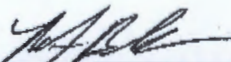
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously on the property located at: _____

8729 Dogwood Road**April 2, 2011**

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

**April 5, 2011**

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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: # 2011-0279-SPHX

8729 Dogwood Road

S/west side of Dogwood Road to a private lane, 2000 n/west from Wrights Mill Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Debbie Sharp & Joseph Campayno

Special Exception: to approve a riding stable and for such other and further relief as the Zoning Commissioner may find necessary and appropriate. **Special Hearing** to confirm an existing non-conforming unpaved access roadway of variable width pursuant to BCZR, 104.1; to approve a modified parking plan for a riding stable without a durable and dustless surface and without stripped parking spaces in lieu of the required durable and dustless surface and stripped spaces pursuant to BCZR 409.8.2; and for such other and further relief as the Administrative Law Judge may find necessary and appropriate.

Hearing: Monday, April 18, 2010 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS 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.

03/342 March 31

271444

*Kristen,
Patapsco Valley Assoc.
wants to ask for a
postponement because
she feels that they
don't have enough
time to get together
for the mtg. Also,
It wasn't posted on the
website. mase.*

CERTIFICATE OF PUBLICATION

3/31, 2011

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 3/31, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

PLAN TO
ACCOMPANY
PETITION



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 12, 2011

Ms. Debbie Sharp
Mr. Joseph Campayno
2772 Westminister Road
Ellicott City, MD 21043

RE: Case Number 2011-0279SPHX, 8729 Dogwood Rd.

Dear Ms. Sharp & Mr. Campayno,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 19, 2011. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Charles Marek, III, 600 Washington Ave., Ste. 200, Towson, MD 21204
Smith, Gildea & Schmidt, LLC, 600 Washington Ave., Ste. 200, Towson, MD 21204
Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

6

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 02 Account Number - 0208550711

Owner Information

Owner Name:	SHARP DEBRA K CAMPAYNO JOSEPH A	Use:	AGRICULTURAL
Mailing Address:	2772 WESTMINSTER RD ELLICOTT CITY MD 21043-3595	Principal Residence:	NO
		Deed Reference:	1) /28934/ 00422 2)

Location & Structure Information

Premises Address	Legal Description
DOGWOOD RD	35.9328 AC WS
0-0000	DOGWOOD RD
	3000 SE WRIGHTS MILL RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0086	0018	0243		0000				1	Plat Ref:

Special Tax Areas

Town	NONE
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		35.9300 AC	05

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2010	07/01/2010	07/01/2011	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	4,490	4,400			
Improvements:	0	0			
Total:	4,490	4,400	4,400	4,400	
Preferential Land:	4,490			4,400	

Transfer Information

Seller:	JETT MARGARET C	Date:	12/03/2009	Price:	\$389,000
Type:	ARMS LENGTH VACANT	Deed1:	/28934/ 00422	Deed2:	
Seller:	JETT JAMES F	Date:	06/28/2004	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/28934/ 00422	Deed2:	
Seller:	JETT JAMES F AG USE 83-84	Date:	05/06/1986	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/07170/ 00458	Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	AGRICULTURAL TRANSFER TAX





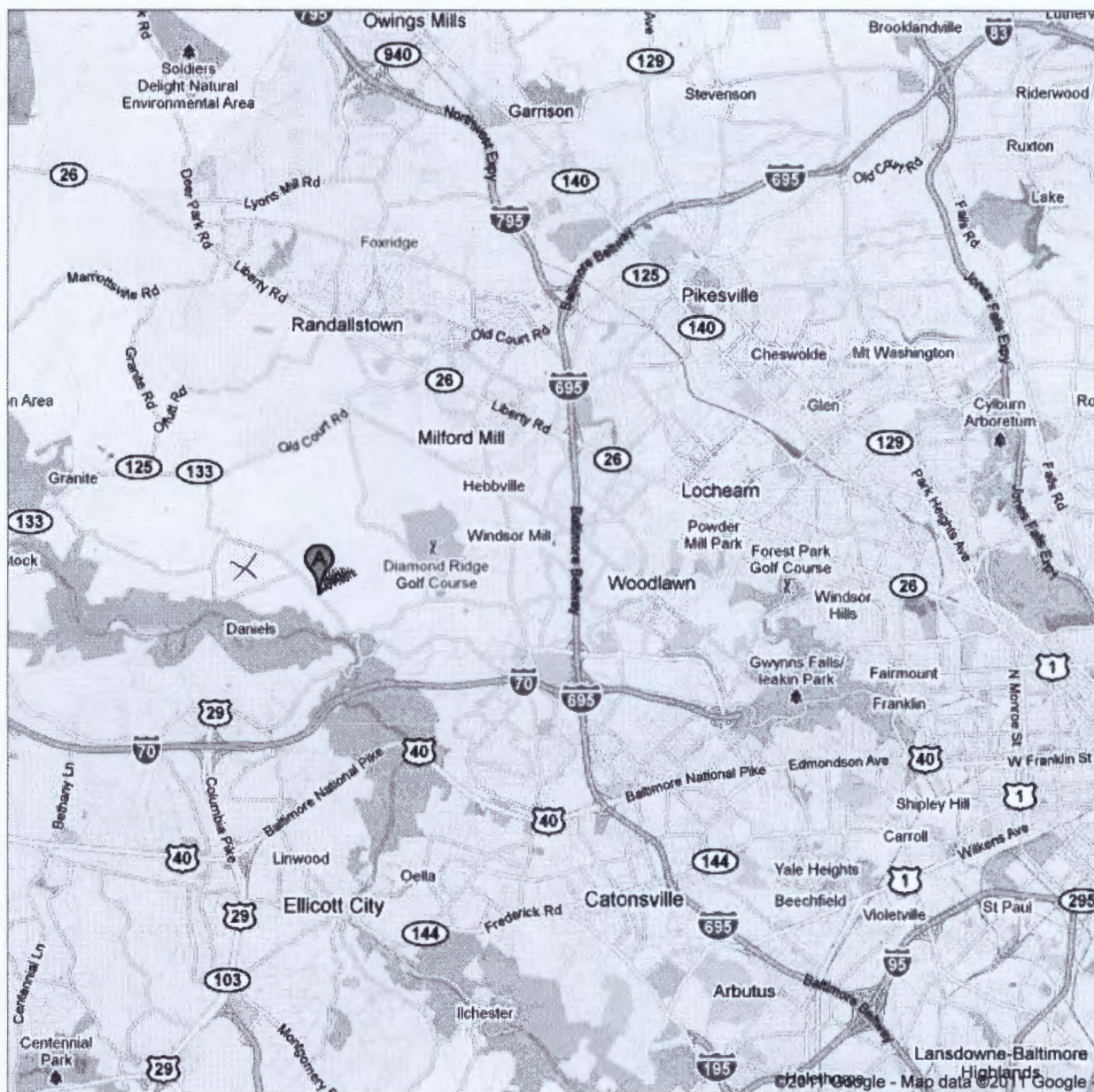
Google maps

Address 8434 Dogwood Rd
Baltimore, MD 21244

Get Google Maps on your phone



Text the word "GMAPS" to 466453



destination. This term includes carpools, vanpools or similar arrangements where more than one person occupies a vehicle for the length of a trip. [Bill No. 26-1988]

RIDING STABLE — A building where riding horses are boarded or kept for hire.³¹

RUBBLE — Building demolition debris, tree stumps and other land clearing debris, solidified road paving debris and other similar wastes authorized by the approving authority. Rubble does not include garbage, friable asbestos, refractory brick, liquid petroleum products, hazardous materials (as defined in § 7-101 of the Environment Article of the Annotated Code of Maryland) or free liquid. [Bill Nos. 97-1987; 137-2004]

RUBBLE LANDFILL — Rubble landfill means a system of rubble disposal or land reclamation for public or private use for which a permit has been issued if required. [Bill No. 97-1987]

RURAL CLUSTER DEVELOPMENT — A form of residential subdivision for use in an R.C.4 Zone in which the permitted density for an entire tract is located only on a designated portion of the tract in order to preserve significant natural, scenic or historic features. [Bill No. 113-1992]

SANITARY LANDFILL — A planned and systematic method of disposal for garbage and other wastes whereby such waste material is placed so that it is thoroughly compacted and covered at the end of each day's operation with such depth and consisting of such types of materials as are acceptable to the Baltimore County Departments of Health and Public Works and the Maryland State Department of Health. When the fill is completed, a covering of such depth and consisting of such types of materials as are acceptable to the aforesaid county and state departments shall be provided. [Bill No. 145-1962]

SATELLITE RECEIVING DISH — A device used or designed to receive electromagnetic signals from earth-orbiting satellites and other extraterrestrial sources and is external to or is attached to the ground or the exterior of any building. The term "satellite receiving dish" includes satellite earth station, satellite television antenna, satellite dish antenna or any other device designed to receive signals from satellites in the manner described above. For the purposes of these regulations, accessory satellite receiving dishes shall not be considered wireless telecommunications antennas or radio operator antennas. [Bill Nos. 71-1987; 30-1998]

SAWMILL OPERATION — The process whereby sawlogs are debarked and sawn into dimension lumber. Such operations include, but are not limited to, forestry and logging operations, harvesting, extracting, transporting, processing, yarding, drying, finishing, marketing and shipping of dimension lumber or ancillary products such as firewood, slabs, edging and trim, sawdust, mulch and chips. [Bill No. 151-1992]

SECONDHAND STORE — A retail or consignment establishment that sells items that have previously been worn or used by others, but not including an antique shop, flea market or pawn shop. [Bill No. 102-2005]

31. Editor's Note: The former definition of "rooming house" which followed this definition was repealed by Bill No. 124-1993.

§ 1A01.2**Use regulations.****A.**

Preferred use permitted as of right. Agricultural operations, when conducted in accordance with good and reasonable husbandry practices, shall be afforded preferential treatment over and above all other permitted uses in R.C.2 Zones.

B.

Uses permitted as of right.

Editor's Note: "Churches and schools for agriculture training," originally included in this section by Bill No. 98-1975, were moved to Section 1A01.2.C by Bill No. 178-1979.

The following uses only are permitted as of right in all R.C.2 Zones:

[Bill No. 178-1979]

1.

Dwellings, one-family detached.

[Bill No. 178-1979]

2.

Farms and limited acreage wholesale flower farms (Section 404).

[Bill Nos. 178-1979; 51-1993]

3.

Open space, common.

[Bill No. 178-1979]

4.

Public schools.

[Bill Nos. 63-1980; 47-1982; 47-1985]

5.

Streets and ways.

[Bill No. 178-1979]

6.

Telephone, telegraph, electrical-power or other lines or cables, provided that any such line or cable is underground; underground gas, water or sewer mains or storm drains; or other underground conduits, except interstate or international pipelines.

[Bill No. 178-1979]

7.

Trailers, provided that any trailer allowed under this provision must be used or stored in accordance with the provisions of Subsection B, C, E or F of Section 415.1 and Section 415.2.A.1 or 415.3.C.1, as applicable.

[Bill No. 178-1979]

8.

Antennas used by CATV systems operated by companies franchised under Article 25 of the Baltimore County Code, if situated on property owned by the county, state or federal government or by a governmental agency.

[Bill Nos. 220-1981; 137-2004]

Mr. & Mrs. Thel Moore, Jr.
8721 Dogwood Road
Windsor Mill, MD. 21244

06 September 2010

Ms. Debbie Sharp & Mr. Joseph Campayno
8729 Dogwood Road
Windsor Mill, MD 21244

Dear Joe and Debbie:

Let me first thank-you for being good neighbors by taking ownership and cleaning up what was the vacant property next to our home. That property was an eye sore and needed a lot of work.

Your proposal for the farm and land preservation for the property seems very admirable and should bring beauty to our secluded area back here in Baltimore County.

I (Thel) have lived in Baltimore County since 1966. When I purchased the wooded lot we live on now I also had dreams of a nicely secluded home for my family and generations of my family to come. I figured this location would be safe for them environmentally and away from a lot of human traffic. It is for those reasons I offer the following comments/questions:

-Hours of operations: Your letter spoke to evening hours, but it did not speak to hours of operations for these lessons. What are your plans for evening hours? Do you plan to have weekend lessons? Will lessons be seven days a week? When can we expect the last lesson to end? These answers will impact traffic and when we can expect quiet in the area.

-Amount of clients: You mentioned a few riding lessons to select students. I am not familiar with horse lessons so what does a few mean (5 -15, 20 - 30, or more)?

-Access Road - Since heavy trucks, horses and clients for lessons will be coming to your property, possibly daily, that will increase traffic on the access road. Do you have any plans to fix or repair the road for this increase?

-Manure runoff - I am not familiar with the county rules on run off and maintenance. I will defer to the county on that one. However, I want to make sure our well water will not be affected.

-Seclusion - I would like your property address to be seen easily from the access road. I want to maintain my seclusion as much as possible. This will also assist in allowing all of us back here to enjoy our investments to the maximum.



Maryland Horse Council

P.O. Box 233

Lisbon, MD 21765

www.mdhorsecouncil.org

Member Associations

Carroll County Equestrian Council; Chesapeake Plantation Walking Horse Club; Cloverleaf Standardbred Owners Association; Days End Farm Horse Rescue, Inc.; Elkridge Harford Hunt; Equine Rescue and Rehabilitation, Inc.; Fair Hill International; Howard County Iron Bridge Hounds; Humane Society of Carroll County; League of Maryland Horsemen; Marlborough Hounds; Maryland 4-H Foundation; Maryland Association for Wildlife Conservation; Maryland Association of Equine Practitioners; Maryland Combined Training Association; Maryland Council of Equestrian Therapies; Maryland Dressage Association; Maryland Equestrian Foundation/Rosaryville Conservancy; Maryland Farriers Association; Maryland Horse Breeders Association.; Maryland Horse Shows Assoc.; Maryland Jockey Club; Maryland Standardbred Breeders Assoc.; Maryland State Quarter Horse Association; Maryland Thoroughbred Horsemen's Association, Inc.; Mid-Atlantic Saddlebred Association; MidAtlantic Farm Credit; New Market Middletown Valley Hounds; Pasadena Horse and Pony Club; Plantation Walking Horses of Maryland; Potomac Hunt Club; Potomac Valley Dressage Association; Trail Riders of Today; Tuckahoe Equestrian Center; Wicomico Hunt

Dear Honorable Kenneth Oliver and distinguished members of the County Council,

On behalf of the 30,000 equine business owners and horse enthusiasts the Maryland Horse Council represents, we support Ms. Debbie Sharp and Mr. Joe Campayno in their efforts to obtain a special exception to Case Number: 2011-0279-SPHX to build an equine barn and facility on their property located at 8729 Dogwood Road, Windsor Mill, Maryland.

In 2009, Governor O'Malley signed into House Bill 955 "Maryland Horse Industry Board -Equine Activities" codified as MD. CODE ANN., [AGRIC.] §2-702.1 wherein "equine activities shall be treated as agricultural activities for the purpose of this subtitle." These equine activities include, but are not limited to, "...caring for, breeding, boarding, renting, riding, or training horses." *Id.* at §2-701(d).

Both the General Assembly and Governor O'Malley felt this important piece of legislation was necessary to encourage agricultural pursuits and preserve the State's farmland. According to the United States Department of Agriculture and State estimates, Maryland lost 873,000 acres of productive farmland between 1950 and 2007. <http://www.green.maryland.gov/mdgpi/12.asp>

It is vital that both our state and local governments do everything in their power to encourage residents to pursue agricultural uses for their land so that we prevent further loss of farmland. Please grant this special exception so Ms. Sharp and Mr. Campayno can ensure that their land remains both productive and agricultural.

We also look forward to working with the Baltimore County Council on our Save The Horse Farms Campaign, which is an effort to ensure that all Maryland counties treat horse farms as agriculture and have zoning practices that promote rather than discourage the facility improvements that are needed to make horse farms viable agricultural enterprises.

Sincerely,

Steuart Pittman
President, Maryland Horse Council



**Baltimore County
Soil Conservation District**

1114 Shawan Road, Suite 4
Cockeysville, Maryland 21030-1385
Phone (410) 527-5920
Fax (410) 527-1528



22 October 2010

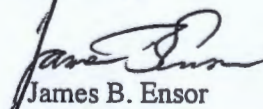
The Honorable Kenneth Oliver
Baltimore County Council
400 Washington Ave. Room 205
Towson, MD. 21204

Dear Councilman Oliver and distinguished members of the County Council:

The Baltimore County Soil Conservation District was approached by Debbie Sharp to assist her with starting a small horse farm located on 8729 Dogwood Rd. Her property is the former Jett Property, known as the "Stump Dump". Her goal is to have an "environmentally friendly" farm. She requested the District to prepare a Soil Conservation and Water Quality Plan to assist her in developing her farm. The Soil Conservation and Water Quality Plan included recommended best management practices (bmps) to reduce erosion and runoff from the farm and protect Baltimore County's water quality. Ms. Sharp was very receptive of our recommendations and is planning to install the bmps on her farm. The bmps include good pasture management, manure control, and roof runoff management.

The District supports her plans for creating a small horse farm in Baltimore County. Her initiative to contact the Baltimore County Soil Conservation District to assist her with the planning of this farm shows her commitment to protecting the environment of Baltimore County and continuing the County's agricultural tradition.

Sincerely,


James B. Ensor
District Manager

Edward Lynn Bourne
8635 Dogwood Rd.
Windsor Mill, Md.
21244

April 10, 2011

To Whom It May Concern:

This is in regards to Debbie Sharp & Joseph Campagno at 8729 Dogwood Rd; Windsor Mill, Md. 21244. This is the acreage that used to be the notorious "Stump Dump."

We live right on the edge of part of their property. We are impressed and happy with all the work they're doing on this property. Their plans of turning it into a "working horse farm." impresses us and we welcome it. We are 'horse' people ourselves and thoroughly enjoy and we welcome it. This huge "project" of recovery they've endeavored on. A beautiful green pastured land committed to horses is actually appreciated on our part. We can't wait to see the finished project!

We ourselves are horse people who've made our living with race horses. I, Lynn, am a former jockey and ex-trainer. My husband, Edward still shoes horses as a farrier. We have no problem with the teaching of a few riding lessons. I think this gives people and opportunity to learn and bond with horses that's not excessive anymore. We hope you approve of their request to have a "riding stable." We feel this is a great improvement of the "mess" of a stump dump left behind. Thank you for your time.

Sincerely, Lynn Bourne
Edward Bourne

11e

Subject: RE: Debbie & Joe Property
From: "Cathy Wolfson" <cwolfson@gpca.net>
Date: Thu, 14 Oct 2010 14:29:53 -0400
To: "Debbie Sharp" <debbie@quatrefoil.com>
CC: "Wright, Sr., Ralph" <wright261@verizon.net>, "Bruce" <bmezger@comcast.net>, "Kelley, Marty" <martyingranite@live.com>, "Cignatta, Marie" <mcig123@yahoo.com>, "Clarence" <sleceoch@aol.com>, "Jakob Goodmuth" <jgoodmuth@gmail.com>

To: Debbie Sharp
Joe Campayno

Re: 8729 Dogwood Road
Windsor Mill, MD 21244

The officers and board have reviewed your proposal and do not object to the plans for your site as they are outlined in the attached proposal which you emailed to us on August 25, 2010.

Please keep us posted on your progress!

Kind regards,

Cathy Wolfson, president
Greater Patapsco Community Association
PO Box 31
Woodstock, MD 21163
410-245-8708

!DSPAM:4cb74b1311137626649442!

Horse Farm Goals (2).docx	Content-Type: application/vnd.openxmlformats-officedocument.wordprocessingml.document Content-Encoding: base64
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THE HEALING FARM

Debbie & Joe Campayno
8729 Dogwood road
Windsor Mill, MD 21244

April 13, 2010

Dear Debbie & Joe,

We The Bagby family welcome and support your equestrian endeavors. In this economy we must support one another. Our LORD JESUS THE CHRIST is very clear concerning how we should love one another and treat our neighbors.

Mr. Thel Moore and Family are our neighbors too. He supported me in my attempt to develop our land. Unfortunately, as you know, the economy failed, leaving the road unpaved. I put ten thousand plus dollars into the base/foundation of the road. The hill/slope of the road washes out every year.

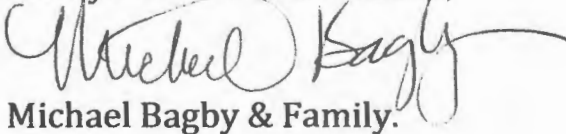
It is my understanding, in your appeal; there are no plans to improve/upgrade the road. Per our recent conversation, you agreed the need for the road improvement.

I have not, to date, been able to collect any dollars toward the road from my existing neighbor. Debbie and Joe have expressed time after time that they would be willing to contribute to improving the road. I understand your priority to put the barn and horse before the road.

I pray that all of us can work together and build a stronger community.

Again, you have my support and prayers.

Always GOD CHRIST BLESS,


Michael Bagby & Family.

8715 Dogwood Road, Windsor Mill, MD 21244

(410) 984-2103

Website: www.jesustheonlysolution.com Email: jesustheonlysolution@gmail.com

PETITIONER'S

EXHIBIT NO.

11F

TO: Baltimore County Government

Subject: Debbie Sharp & Joe Campayno Hearing

FROM: Victoria Ann Dever

Your Honor,

I am writing this letter in support of Debbie Sharp & Joe Campayno's request for a riding stable on their agricultural property in Baltimore County.

I have known Debbie and Joe since the summer of 2000 when Debbie became the riding instructor for my daughter Christine who was then the age of 12. What is significant to relate is at the age of 18 months all her development stopped and she was diagnosed as autistic with little chance of a "normal" life. To fast forward, Christine mainstreamed into public school, but still had severe fine and gross motor delays. In the summer of 2000, after much pleading on her part, and much trepidation on mine, I finally let her take riding lessons. Although her passion and drive surpassed most children, the instructors one by one chose not to teach Christine as they would rather work with more "gifted" riders. I looked one last time for someone to work with Christine so she didn't have to feel like a failure, and that's when I found Debbie.

Debbie worked patiently with Christine and always made it fun. She never made her feel less than her other students. She always gave her extra time and never asked for more money, as is the standard practice. Within a year, Christine had the confidence to work as a summer barn assistant and then weekend manger of a 40-horse stable while attending high school.

As a parent I had done all I could to build her self-esteem – little did I know that additional help would come in the form of a riding instructor. I totally give credit to Debbie for empowering my daughter; teaching her not just about horses, but about the perseverance needed to achieve one's goals. Today, Christine is a graduate from the University of Maryland and is now pursuing her Doctorate of Physical Therapy at Long Island University in New York. Debbie taught my daughter lessons well beyond riding.

When Joe and Debbie purchased their farm in 2009, I eagerly helped on weekends to clean up the trash and debris dumped by others. I don't know many people who would take on land that had been as abused as this site, and work many hours outside of their full time jobs, at their own expense, to personally clean it up. This property known as the "stump dump" today looks like a clean beautiful piece of property ready to become the farm it was meant to be. Every piece of the thousands of pounds of material that has been collected has been recycled, not just dumped into another landfill, which would have been the easy path to take. Debbie and Joe take "green practices" and preservation of the environment to heart.

I have met some of the best people this country has to offer while serving as a Special Forces officer in the US Air Force. Debbie and Joe are up there with the finest I have had the honor and privilege to know. I have never met people more committed to give back to their community and their fellow man.

PETITIONER'S
EXHIBIT NO. 116

SITE PHOTOS





PETITIONER'S

EXHIBIT NO. 12A-0

§ 409.12

Other requirements.

A.

The off-street parking requirements in Section 409 shall supersede any off-street parking requirements adopted pursuant to the authority of Section 504.

B.

If the requirements for parking space or loading space in Section 409 would create an undue hardship, the Zoning Commissioner may approve a modified plan upon petition and after a public hearing, the procedure for which is set forth in Section 409.8.B.1 above.

14

§ 409.8**Design standards.****A.**

Requirements for parking facilities in all zones. All off-street parking facilities shall be subject to the following requirements:

1.

Design, screening and landscaping. Design, screening and landscaping shall be provided in accordance with the Landscape Manual and all other manuals adopted pursuant to § 32-4-404 of the Baltimore County Code.

[Bill No. 137-2004]

2.

Surface. A durable and dustless surface shall be provided and shall be properly drained so as not to create any undesirable conditions.

3.

Lighting. Any fixture used to illuminate any parking facility shall be so arranged as to reflect the light away from residential lots and public streets. Light standards shall be protected from vehicular traffic by curbing or landscaping.

4.

Distance to street line. No parking space in a surface parking facility for a nonresidential use shall be closer than 10 feet to the right-of-way line of a public street, excluding vehicle overhang, except that in the C.T. District of Towson such setback is not required if the parking facility is screened from the street in accordance with the Landscape Manual.

5.

Dead ends. All dead-end aisles shall be designed to provide sufficient backup area for the end parking spaces.

6.

All parking spaces must be striped. Striping shall be maintained so as to remain visible.

B.

Business or industrial parking in residential zones.

1.

Upon application, the Zoning Commissioner may issue a use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6, under the following procedure:

a.

On the property in question, notice of the application for the use permit shall be conspicuously posted for a period of 15 days following the filing of the application.

b.

Within the fifteen-day posting period, any interested person may file a formal request for a public hearing with the Zoning Commissioner in accordance with Section 500.7.

c.

If a formal request for a public hearing is not filed, the Zoning Commissioner, without a public hearing, may grant a use permit for parking in a residential zone if the proposed use meets all the requirements of Section 409.8.B.2. The use permit may be issued with such conditions or restrictions as determined appropriate by the Zoning Commissioner to satisfy the provisions of Section 409.8.B.2 below and to ensure that the parking facility will not be detrimental to the health, safety or general welfare of the surrounding community.

d.

If a formal request for a public hearing is filed, the Zoning Commissioner shall schedule a date for the public hearing, such hearing to be held not less than 30 days and not more than 90 days from the date of filing of the

§ 409.4 Access to parking spaces.

Vehicular travelways in off-street parking facilities where the parking spaces are located in parking bays or parking lanes shall be divided into driveways, with no direct access to parking spaces, and aisles, providing direct access to adjoining parking spaces.

A.

Driveways shall be at least 12 feet in width for one-way movements and at least 20 feet in width for two-way movements.

B.

All parking spaces shall adjoin and have direct access to an aisle, except in the following cases:

1.

In cases where vehicles will be parked by an attendant, the Zoning Commissioner may approve a parking facility in which up to 50% of all parking spaces do not adjoin and have direct access to an aisle.

2.

In office buildings less than 5,000 square feet, the Zoning Commissioner may approve a plan in which spaces designated for employee use only do not have direct access to an aisle.

C.

The permitted parking angles and the minimum required widths of aisles shall be as specified below. Parking angles and aisle widths which vary from those specified below may be approved by the Zoning Commissioner for any parking facility based upon the written findings of the Director of Public Works that the design of the particular parking facility involved will provide for the safe and efficient circulation and maneuvering of vehicles.

	Parking Angle	One-Way Aisles (feet)	Two-Way Aisles (feet)
	90°	22	22
	75°	18	20
	60°	16	20
	45°	14	20
	30°	14	20
	0°	14	20

D.

Historic structures. For an existing structure within the Oella National Register District or the Ellicott Mills National Register District, the width of driveways and aisles with two-way movement in an interior private parking facility may be modified up to 25% of

the minimum required width specified in Section 409.4.A and 409.4.C. Residential dwelling unit parking spaces that do not have access to aisles are permitted, and these spaces may count towards the number of spaces required under Section 409.6. Any parking spaces without direct access to a drive aisle and the space blocking access to that drive aisle shall be reserved for an individual unit.

[Bill No. 8-2004]



BALTIMORE COUNTY SERVICE CENTER
9831 VAN BUREN LN
COCKEYSVILLE, MD 21030-5022
(410) 666-1188

16
CIARA McMURTRIE
MDA EQUINE PLANNER

Conservation Plan

DEBRA SHARP
8729 DOGWOOD ROAD
BALTIMORE, MD 21244

Forest

Tract: 309

Pest Management

Manage infestations of weeds, insects and disease to reduce adverse effects on plant growth and crop production when economically viable. Follow the recommendations of a certified pest scout. All chemicals shall be applied in accordance with label recommendations and Maryland state law.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	9.2 ac	6	2010		
2	1.7 ac	6	2010		
Total:	10.9 ac				

Prescribed Forestry

Manage forested areas to address landowner objectives and perpetuate a sustainable forest ecosystem. Develop a Forest Management Plan per state forester recommendations. Contact the MD Department of Natural Resources Forester for Baltimore County at 410-665-5820 for assistance. Contact Baltimore County D.E.P.R.M. at 410-887-3980 before any commercial harvesting begins. If woodland management is not desired, leave woods in natural vegetation for wildlife.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	9.2 ac	6	2010		
2	1.7 ac	6	2010		
Total:	10.9 ac				

Headquarters

Tract: 309

Heavy Use Area Protection

Protect heavily used areas by establishing vegetative cover, by surfacing with suitable materials, or by installing needed structures.

Field	Planned Amount	Month	Year	Applied Amount	Date
4	0.2 ac	6	2010		
Total:	0.2 ac				

17

§ 104.1 Continuation of nonconformance; exceptions.

[Bill Nos. 18-1976; 124-1991]

A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate.



BALTIMORE COUNTY
MARYLAND



JAMES T. SMITH, JR.
County Executive

DAVID A.C. CARROLL, *Director*
Department of Environmental Protection
and Resource Management

January 26, 2006

Mr. Bruce Doak
GERHOLD CROSS & ETZEL LTD
320 E TOWSONTOWN BLVD
SUITE 100
TOWSON MD 21286

RE: Jett Property, Lots 1 & 2, 8637A & 8637 Dogwood Road, D-2

Dear Mr. Doak,

A representative of this office, Clare M. Brunner, R.S., conducted soil evaluations on 01/09/2006 regarding the above-referenced lot(s). Prior to granting approval of the soil percolation tests, a revised plan, drawn to a scale no greater than 1" equals to 100', must be submitted to this office and contain the following:

- Topography of the property
- Accurate location(s) of:
 - All completed test pits and proposed sewage disposal reserve area(s)
 - Proposed water well(s)
 - Proposed dwelling(s)
 - Existing water well(s) on site and within 100 ft. of the property lines
 - Existing septic system(s) on site and within 100 ft. of the property lines
 - Existing underground storage tank(s) on site and within 100 ft. of the property lines
- Show all monitoring & irrigation wells onsite and indicate future disposition.
- Show limits of fill onsite and fill depth.
- Show neighboring proposed well and SRA for Bosley Property

Due to the known use of this property as a disposal site, the Department, in accordance with Baltimore County Code, Section 34-1-101, is requiring that the owner/developer submit a hydrogeologic study of the proposed subdivision. The study must be conducted by a qualified environmental engineering/consulting firm and include an accurate delineation and description of the fill area along with an evaluation of ground water, soil, and soil gas conditions beneath the proposed lots. Testing parameters should include, but may not be limited to, metals, volatile organic compounds and methane. Based on the analytical information collected, the study must also include a risk assessment for the proposed residential use of the site.

Search:

Links:

Document**Prev Chapter****Next Chapter****Contents****Sync TOC****Framed Version** American Legal Publishing Maryland Baltimore County Code ARTICLE 35. BUILDINGS AND HOUSING TITLE 3. HOUSING IN GENERAL

 SUBTITLE 1. IN GENERAL SUBTITLE 2. SOLICITATIONS SUBTITLE 3. NOTICE TO RESIDENTIAL PROPERTY TENANTS AND BUYERS

§ 1A01.5 Inconveniences arising from agricultural operations.

[Bill No. 34-2009]

Any dwelling, business or use in or near an R.C. 2 Zone may be subject to inconveniences or discomforts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of machinery of any kind during any twenty-four-hour period (including aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements.

§ 32-4-409. PANHANDLE DRIVEWAYS.**(a) In general.****(1) The county may only allow a panhandle lot:**

- (i) To achieve better use of irregularly shaped parcels;
- (ii) To avoid development in environmentally sensitive areas;
- (iii) Where the lot will not be detrimental to adjacent properties; and
- (iv) Where the lot will not conflict with efforts to provide for public safety and general welfare.

(2) The county may only allow a panhandle driveway where necessary to provide access to interior lots where a public road is neither feasible nor desirable.

(b) In-fee strip; required.

(1) Except as provided in subsection (c) of this section, the county may permit a panhandle lot if the lot includes an in-fee strip of land for access to the local street.

(2) Panhandle fee strips shall be a minimum of:

- (i) 20 feet in width to serve one lot;
- (ii) 12 feet in width per lot where two lots are involved;
- (iii) 10 feet in width per lot where three or more lots are involved; or

(iv) 12 feet in width per lot where there are two or more lots in a development that is within the metropolitan area where public water and sewer services are available, planned, or considered.

(c) Same; exception. In cases where a right-of-way has been established before the submission of the Development Plan, the Hearing Officer may approve access to the local street or collector street through the existing right-of-way instead of an in-fee strip.

(d) Panhandle driveways.

(1) A single panhandle driveway may serve up to five dwellings, three of which may be on internal lots not adjacent to the local street or collector street.

(2) Panhandle driveways serving lots greater than 20,000 square feet may serve five internal lots plus two dwellings on the front lots adjacent to the panhandle driveway and the local street or collector street.

(3) Front lots are not required to be part of the panhandle driveway development.

(4) Notwithstanding the provisions of § of this title, the requirements of this subsection may not be waived.

(e) Length of panhandle in DR and RC zones.

(1) In a DR zone, the panhandle length may not exceed 500 feet.

(2) In an RC zone, the panhandle length may not exceed 1,000 feet.

(3) The maximum permitted length of a panhandle is subject to variance under § 307 of the Baltimore County Zoning Regulations.

(f) Panhandle driveways serving multiple lots.

(1) For panhandle driveways serving more than one lot, the developer shall note on the record plat any covenants that provide for common use and maintenance of the panhandle driveway and culvert.

BALTIMORE COUNTY

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



BUREAU OF DEVELOPMENT PLANS REVIEW POLICY MANUAL

In accordance with Section 26-283 of the Baltimore County code, regulations in this manual are intended to repeal the following sections of the Department of Public Works Development Procedures and Policy Manual adopted by County Council Resolution No. 100-85 on November 18, 1985.

<i>Division I</i>	<i>Sections 4, 5, 6, 7, 8</i>
<i>Division II</i>	<i>All Sections</i>
<i>Division III</i>	<i>Section 14</i>
<i>Division IV</i>	<i>All Sections</i>

February 27, 2002

TITLE 7. REGULATIONS

Section

Subtitle 1. Definitions

3-7-101. Definitions

Subtitle 2. Code of County Regulations

3-7-201. "Proposed regulation" defined

3-7-202. Scope

3-7-203. In general

3-7-204. Contents in general

3-7-205. Submission to the County Attorney

3-7-206. Procedure

3-7-207. Adoption or resubmittal

3-7-208. Severability

Subtitle 3. Other County Regulations

3-7-301. Scope

3-7-302. General approvals

SUBTITLE 1. DEFINITIONS

§ 3-7-101. DEFINITIONS.

(a) *In general.* In this title the following words have the meanings indicated.

(b) *Regulation.* "Regulation" means a statement of county government that:

(1) Has general application;

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Circuit Court of Maryland

[Go Back](#)**Case Information**

Court System: **Circuit Court for Baltimore County - Civil System**
Case Number: **03C96006496**
Title: **Baltimore County Maryland vs Jett, et al**
Case Type: **Other Civil** Filing Date: **06/28/1996**
Case Status: **Closed/Inactive**
Case Disposition: **Decree or Order** Disposition Date: **01/19/2001**

Plaintiff/Petitioner Information*(Each Plaintiff/Petitioner is displayed below)*Party Type: **Plaintiff** Party No.: **1**Business or
Organization Name: **Baltimore County Maryland**Address: **400 Washington Avenue**City: **Towson** State: **MD** Zip Code: **21204****Attorney(s) for the Plaintiff/Petitioner**Name: **Silber, Esq, Douglas**Practice Name: **Douglas N Silber, L L C**Address: **P.O. Box 176**City: **Phoenix** State: **MD** Zip Code: **21131-0176****Defendant/Respondent Information***(Each Defendant/Respondent is displayed below)*Party Type: **Defendant** Party No.: **1**Name: **Jett, James Francis**Address: **8729 Dogwood Road**City: **Baltimore** State: **MD** Zip Code: **21207**Address: **8729 Dogwood Road**City: **Baltimore** State: **MD** Zip Code: **21207****Attorney(s) for the Defendant/Respondent**Name: **Dowell, Esq, Brice G**Practice Name: **Law Offices Of Brice G Dowell**Address: **555 Fairmount Avenue****Suite 103**City: **Towson** State: **MD** Zip Code: **21286**Party Type: **Defendant** Party No.: **2**Business or
Organization Name: **Patapsco Valley Farms Inc**Address: **8729 Dogwood Road**City: **Baltimore** State: **MD** Zip Code: **21207**Address: **8729 Dogwood Road**City: **Baltimore** State: **MD** Zip Code: **21207****Attorney(s) for the Defendant/Respondent**

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Circuit Court of Maryland

[Go Back](#)**Case Information**

Court System: **Circuit Court for Baltimore County - Civil System**
Case Number: **03C98008310**
Title: **Jett Vs Maryland Dept Of The Environment**
Case Type: **Administrative Agency Appeal** Filing Date: **08/18/1998**
Case Status: **Closed/Inactive**
Case Disposition: **Decree or Order** Disposition Date: **10/31/2001**

Plaintiff/Petitioner Information

(Each Plaintiff/Petitioner is displayed below)

Party Type: **Plaintiff** Party No.: **1**
Name: **Jett, James F**
Address: **8729 Dogwood Road**
City: **Baltimore** State: **MD** Zip Code: **21244**

Aliases Plaintiff/Petitioner

Name: **Patapsco Valley Farms Inc**

Attorney(s) for the Plaintiff/Petitioner

Name: **Dowell, Esq, Brice G**
Practice Name: **Law Offices Of Brice G Dowell**
Address: **555 Fairmount Avenue**
Suite 103
City: **Towson** State: **MD** Zip Code: **21286**

Defendant/Respondent Information

(Each Defendant/Respondent is displayed below)

Party Type: **Defendant** Party No.: **1**
Business or
Organization Name: **Maryland Dept Of The Environment**
Address: **2500 Broening Highway**
City: **Baltimore** State: **MD** Zip Code: **21224**

Attorney(s) for the Defendant/Respondent

Name: **Dorsey, Esq, J Van Lear**
Practice Name: **Maryland Insurance Administration**
Address: **200 St. Paul Place**
Suite 2700
City: **Baltimore** State: **MD** Zip Code: **21202**

Court Scheduling Information

Event Type: **Civil Non-Jury Trial** Notice Date:
Event Date: **02/25/1999** Event Time: **09:30 AM**
Result: **Held/Concluded** Result Date: **02/25/1999**

IN RE: PETITION FOR SPECIAL HEARING
 1,521' W c/l of Dogwood Road, 2,055'
 NW Wrights Mill Road
 (8633 Dogwood Road)
 2nd Election District
 4th Council District

Michael A. Bagby
 Petitioner

* BEFORE THE
 * ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 06-400-SPH
 *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Michael A. Bagby. As filed, the Petitioner requests a special hearing to approve a waiver of public works standards from Section 32-4-409(b) of the B.C.D.R.¹, to allow access to the proposed lots by way of a right-of-way in lieu of the required in fee ownership. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing and testifying on behalf of the Petitioner was Bruce E. Doak with Gerhold, Cross & Etzel, Ltd., the consultants who prepared the site plan for this property and Michael A. Bagby, owner and site developer. There were no Protestants or other interested citizens from the locale in attendance.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located approximately 1,500 feet to the west of the right-of-way for Dogwood Road, north of Wrights Mill Road in the Granite/Woodstock area of the county. The property contains a gross area of 4.05 acres, more or less, zoned R.C.2 and currently undergoing a minor subdivision process (PDM 06-009-M). The Petitioner is desirous of subdividing his property to

¹ At the outset of the hearing, the Petition was corrected by interlineation to correct the relief requested as follows: "to approve access to the local street (Dogwood Road) through the existing right-of-way, which is 16 feet wide and approximately 1,935 feet long, in lieu of the required in-fee strip, pursuant to Section 32-4-409(c) of the Baltimore County Code (B.C.C.), for proposed Lot(s) 1 and 2.

§ 502.1 Conditions determining granting of special exception.

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

A.

Be detrimental to the health, safety or general welfare of the locality involved;

B.

Tend to create congestion in roads, streets or alleys therein;

C.

Create a potential hazard from fire, panic or other danger;

D.

Tend to overcrowd land and cause undue concentration of population;

E.

Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;

F.

Interfere with adequate light and air;

[Bill No. 45-1982]

G.

Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;

[Bill No. 45-1982]

H.

Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations;
nor

[Bill No. 45-1982]

I.

Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 Zone.

[Bill No. 74-2000]

Search:

 Search

Baltimore County Code

CHARTER OF BALTIMORE COUNTY, MARYLAND*
ARTICLE V. THE ADMINISTRATIVE SERVICES Choose search form

Links:

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ARTICLE V. THE ADMINISTRATIVE SERVICES

DIVISION 1. OUTLINE OF ORGANIZATION

Sec. 501. General supervision.

Except as otherwise provided herein or in the public general laws of this state, the administrative services of the county shall be subject to the supervision and control of the county administrative officer, who shall be responsible solely to the county executive for their efficient operation and management.

Sec. 502. Composition, restrictions on creation of additional offices and departments.

The administrative services shall consist of the offices and departments enumerated in sections 503 and 504, provided that offices and departments may be created, merged or abolished by legislative act proposed by the county executive and passed by a majority plus one of the total number of county council members established by this Charter, with the total number of offices and departments being determined by budgetary requirements. Existing or additional duties and functions may, however, from time to time be assigned to or reassigned among existing offices or departments by directive of the county administrative officer or by legislative act of the county council. New bureaus or divisions of existing offices and departments shall not be created except by legislative act of the county council. (Bill No. 84, 1978, § 1; approved by voters Nov. 7, 1978; effective Dec. 8, 1978; Bill No. 131, 1990, § 1; approved by voters Nov. 6, 1990; effective Dec. 7, 1990)

Sec. 503. Offices.

There shall be the following offices in the administrative services:

- (1) Office of law.
- (2) Office of personnel.



PETITIONER' S

EXHIBIT NO. 29 A



PETITIONER'S
EXHIBIT NO. 298

HOUSE BILL 955

M4

9lr2955

By: Delegate V. Clagett

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2009

CHAPTER _____

1 AN ACT concerning

2 **Maryland Horse Industry Board – Equine Activities**

3 FOR the purpose of providing that certain activities are not subject to certain
4 provisions of law relating to the Maryland Horse Industry Board; requiring that
5 equine activities be treated as agricultural activities for the purposes of certain
6 provisions of law; defining a certain term; and generally relating to the
7 Maryland Horse Industry Board and equine activities.

8 BY repealing and reenacting, with amendments,

9 Article – Agriculture

10 Section 2–701 and 2–702

11 Annotated Code of Maryland

12 (2007 Replacement Volume and 2008 Supplement)

13 BY adding to

14 Article – Agriculture

15 Section 2–702.1

16 Annotated Code of Maryland

17 (2007 Replacement Volume and 2008 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Agriculture**

21 2–701.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

JAMES V. HERMANN, RLA
Owner

Project Assignment:

Landscape Architect / Planner

Years of Experience:

JVHA: < 1
Other Firms: 20

Education:

B.L.A., Landscape Architecture,
Kansas State University, 1989

Masters of Science in Real Estate
Johns Hopkins University, 2006

Active Registration:

Maryland, Landscape Architect,
1992, #1044

Qualifications:

Mr. Hermann has 20 years of professional experience in land planning, landscape architecture, and concept planning. His work has included a wide variety of projects ranging in scale from site specific to regional planning including streetscape, neighborhood parks, and recreation area planning. Mr. Hermann's project involvement includes interaction with various government agencies, private interest groups, and project related consultants (traffic engineers, SHA engineers, and State and County environmental agencies, architects, etc.); site analysis through conceptual development; graphic renderings; roadway access and realignment studies; grading, design, and cost estimating.

Mr. Hermann is the Owner and a Landscape Architect at JVHA with experience in project management and design of residential, commercial, industrial, and park projects. His responsibilities encompass preparation of site feasibility studies, site planning and design, site grading, forest stand delineation, forest conservation, landscape design, technical supervision of plans and construction documents, quality control, proposal preparation, and coordination with clients, consultants, and government agencies.

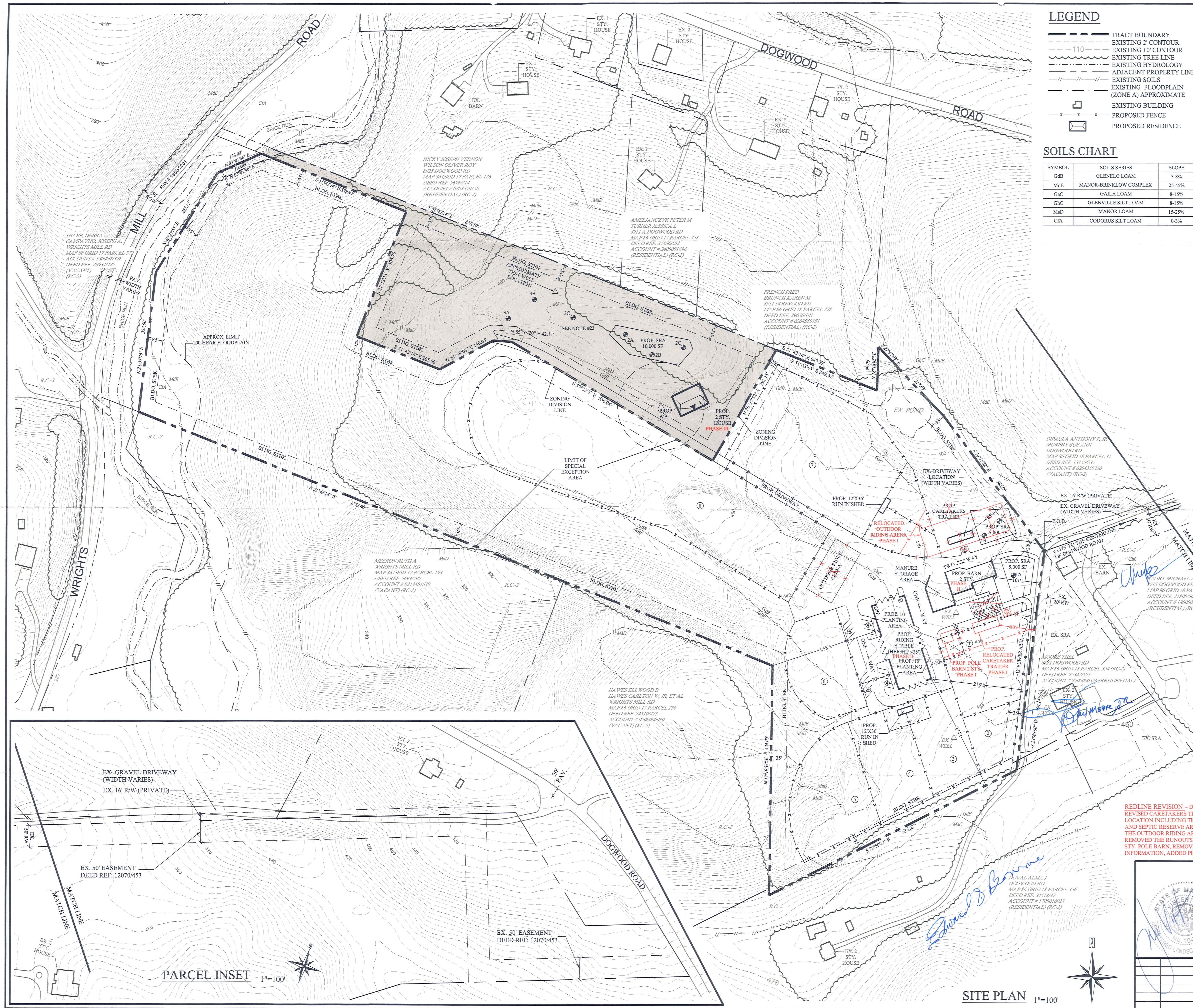
Mr. Hermann has successfully designed and managed the following representative projects:

JVHermann & Associates LLC
1895 Eden Mill Road
Pylesville, Maryland 21132
Phone: 410-688-6005
Email: jvhermann@gmail.com

PETITIONER' S

EXHIBIT NO.

31



LEGEND

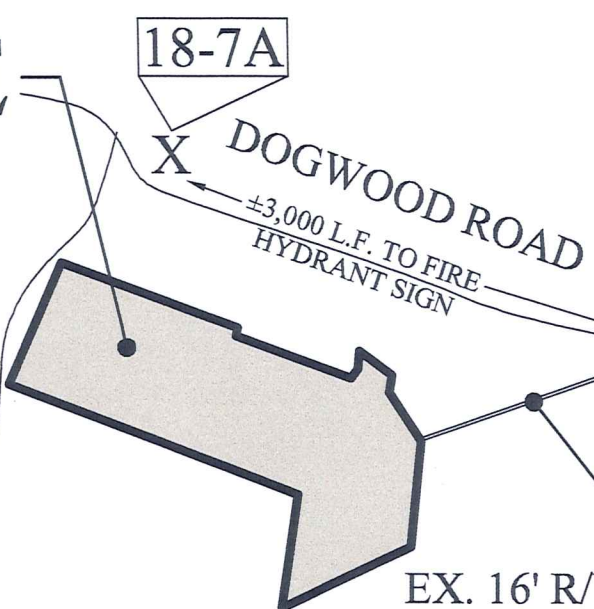
- TRACT BOUNDARY
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING TREE LINE
- EXISTING HYDROLOGY
- ADJACENT PROPERTY LINE
- EXISTING SOILS
- EXISTING FLOODPLAIN (ZONE A) APPROXIMATE
- EXISTING BUILDING
- PROPOSED FENCE
- PROPOSED RESIDENCE

SOILS CHART

SYMBOL	SOILS SERIES	SLOPE
GdB	GLENELG LOAM	3-8%
MdE	MANOR-BRINKLOW COMPLEX	25-45%
GdC	GALLA LOAM	8-15%
GhC	GLENVILLE SILT LOAM	8-15%
MaD	MANOR LOAM	15-25%
CfA	CODORUS SILT LOAM	0-3%

SITE

DAVIS AVE.



WRIGHTS MILL ROAD

BALTIMORE CO.

HOWARD CO.

VICINITY MAP

SCALE: 1"=100'

SITE DATA:

- OWNER/APPLICANT: DEBBIE SHARP & JOSEPH CAMPAYNO
2772 WESTMINSTER ROAD
ELLICOTT CITY, MARYLAND 21043
PHONE: 410-480-5495
8729 DOGWOOD ROAD
WINDSOR MILL, MARYLAND 21244
MAP 86, PARCEL 243
02-0208550711
35.93 ACRES +/- (1,565,110 S.F.)
R.C.2
VACANT
HORSE FARM AND RIDING STABLE AND RESIDENTIAL
- ELECTION DISTRICT: 2ND
- COUNCILMANIC DISTRICT: 4TH
- PROPERTY ADDRESS: NO PRINCIPAL STRUCTURE OR DWELLING (WHETHER OR NOT IT IS A PRINCIPAL STRUCTURE) IN AN R.C.2 ZONE MAY BE SITUATED WITHIN 75 FEET OF THE CENTER LINE OF ANY STREET OR WITHIN 35 FEET OF ANY LOT LINE OTHER THAN A STREET LINE.
- HEIGHT: 35 FEET
- PARKING REQUIRED: 15 PARKING SPACES
LARGEST WORKER SHIFT: 5 WORKERS + 5 PARKING SPACES
LARGEST NUMBER OF HORSES: 5 HORSES + 8 PARKING SPACES
2 CARETAKER PARKING SPACES
- PARKING SPACES PROVIDED: 18 PARKING SPACES
- RESIDENTIAL PARKING REQUIRED: 2 PARKING SPACES PER RESIDENCE (TOTAL 4)
- RESIDENTIAL PARKING PROVIDED: 24 PARKING SPACES (2 IN GARAGE PER HOUSE)
- THIS PROPERTY IS PROPOSED TO BE SERVED BY PRIVATE WATER AND PRIVATE SEWER.
- ZONING MAP #086C2 - RECEIVED PRINT OUT OF EXISTING ZONING FROM BALTIMORE COUNTY'S DEPARTMENT OF ZONING ON 10-1-2010.
- ZONING HISTORY - THERE ARE NO PRIOR ZONING HEARINGS/CASES FOR THIS PROPERTY ON FILE WITH BALTIMORE COUNTY'S ZONING OFFICE.
- PREVIOUS COMMERCIAL PERMITS - PERMIT#E082001 - ELECTRICAL ISSUED 2-15-91
PERMIT#B159900 - GRADING ISSUED 8-10-92
DATE OF THE LAST IMPROVEMENT UNDER THESE PERMITS ARE UNKNOWN.
- PER FEMA FLOOD INSURANCE RATE MAP #24010055E THE SITE IS IN ZONE X AND A AND A PORTION OF THE PROPERTY IS WITHIN A 100 YEAR FLOODPLAIN.
- BOUNDARY INFORMATION SHOWN HEREON IS BASED FROM PLATS AND DEEDS OF RECORD AND IS NOT A REPRESENTATION OF A FIELD RUN BOUNDARY SURVEY. GRID NORTH, MARYLAND COORDINATE SYSTEM NAD 83/1 PER GERHOLD CROSS & ETZEL, BALTIMORE COUNTY MINOR SUBDIVISION (PDM 406-009-M).
- THE SUBJECT PROPERTY IS NOT WITHIN THE SHED OF A FAILING INTERSECTION OR FAILING WATER OR SEWER AREA PER BALTIMORE COUNTY'S BASIC SERVICES MAPS.
- PROPOSED SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR.
- THERE ARE NO PROPOSED STREET IMPROVEMENTS AND/OR RIGHT-OF-WAY HIGHWAY WIDENING FOR THIS PROJECT.
- THERE ARE NO EXISTING BUILDINGS ON SITE WITH THE EXCEPTION OF THE OLD EXISTING BARN FOUNDATION/SHED.
- LIGHTING - PROPOSED LIGHTING IS TO BE TYPICAL OF A STANDARD FARMING AND AGRICULTURAL OPERATION.
- HANDICAPPED PARKING WILL BE PROVIDED AS REQUIRED.
- NO CURBING OR WHEEL STOPS ARE PROPOSED FOR THIS PROJECT.
- THE PROPOSED HOUSE, WELL, AND SEPTIC LOCATIONS ARE APPROXIMATE, SUBJECT TO CHANGE, AND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
- PROPOSED LANDSCAPING SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THE PROPOSED FENCE LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
- THE PROPERTY IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES ON THE PROPERTY MAY INCLUDE: (1) AGRICULTURAL USES, INCLUDING REARING OF YAKS, GOATS AND OTHER LIVESTOCK FOR FIBER AND MILK, THE BREEDING AND RAISING OF PONIES AND HORSES, REHABILITATION, RETRAINING AND RE-HOMING OF UNWANTED HORSES, GROWING OF HAY FOR LIVESTOCK, CULTIVATION OF CROPS FOR PERSONAL USE AND SALE, (2) RIDING STABLE AND ACCESSORY USES INCLUDING TEACHING OF PRIVATE AND SEMI-PRIVATE RIDING LESSONS, TEACHING HORSEMANSHIP AND EQUINE HUSBANDRY TO SMALL GROUPS, PRACTICE SCHOOLS FOR STUDENTS TO PREPARE FOR COMPETITIONS, CLINICS ON A VARIETY OF EQUINE SUBJECTS, PROVISION OF EDUCATIONAL OUTREACH FOR THE WINDSOR MILL SCHOOL DISTRICT, (3) CONSTRUCT A PERSONAL DWELLING ON THE PREMISES AND ANY OTHER ACCESSORY USES AND USES PERMITTED BY RIGHT IN THE R.C. 2 ZONE.

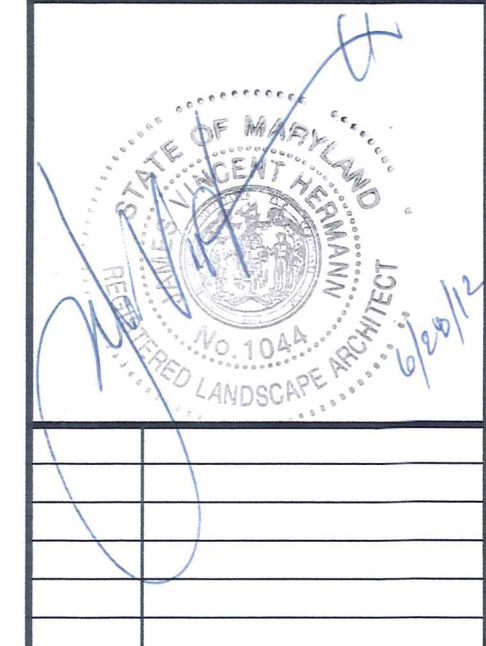
SPECIAL EXCEPTION

- TO APPROVE A RIDING STABLE AS PER BCZR 1A01.2.C.21.
- FOR SUCH OTHER AND FURTHER RELIEF AS THE ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.

SPECIAL HEARING

- TO CONFIRM AN EXISTING NON-CONFORMING UNPAVED ACCESS ROADWAY OF VARIABLE WIDTH PURSUANT TO BCZR 104.1.
- TO APPROVE A MODIFIED PARKING PLAN FOR A RIDING STABLE WITHOUT A DURABLE AND DUSTLESS SURFACE AND WITHOUT STRIPED PARKING SPACES IN LIEU OF THE REQUIRED DURABLE AND DUSTLESS SURFACE AND STRIPED SPACES PURSUANT TO BCZR 1409.8.2.
- FOR SUCH OTHER AND FURTHER RELIEF AS THE ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.

REDLINE REVISION - DATED 6-20-2012
REVISED CARETAKERS TRAILER
LOCATION INCLUDING THE PARKING
AND SEPTIC RESERVE AREA, REVISED
THE OUTDOOR RIDING ARENA LOCATION,
REMOVED THE RUNOUTS, ADDED A 2
STY. POLE BARN, REMOVED LOT 4
INFORMATION, ADDED PHASING, ETC.

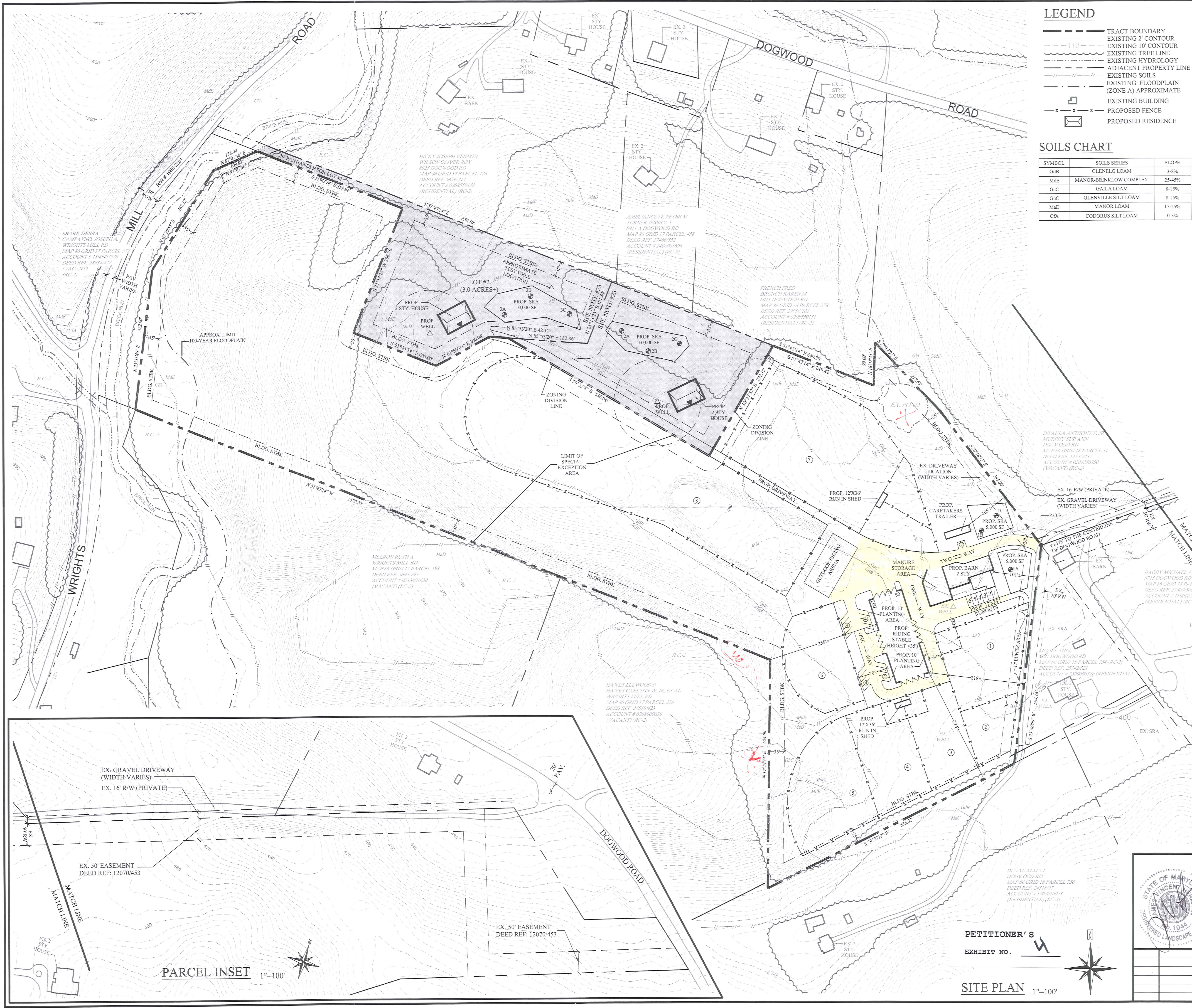


JVHermann & Associates, LLC
1895 Eden Mill Road
Pylesville, Maryland 21132
Phone: 410-688-6005
Email: jvherrmann@gmail.com

PLAN TO ACCOMPANY SPECIAL EXCEPTION & SPECIAL HEARING

8729 DOGWOOD ROAD
BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT 2	COUNCILMANIC DISTRICT 4
SCALE: AS SHOWN	DWG NO. 2010-108A
DATE: 03/12/2011	SHEET: 1 OF 1

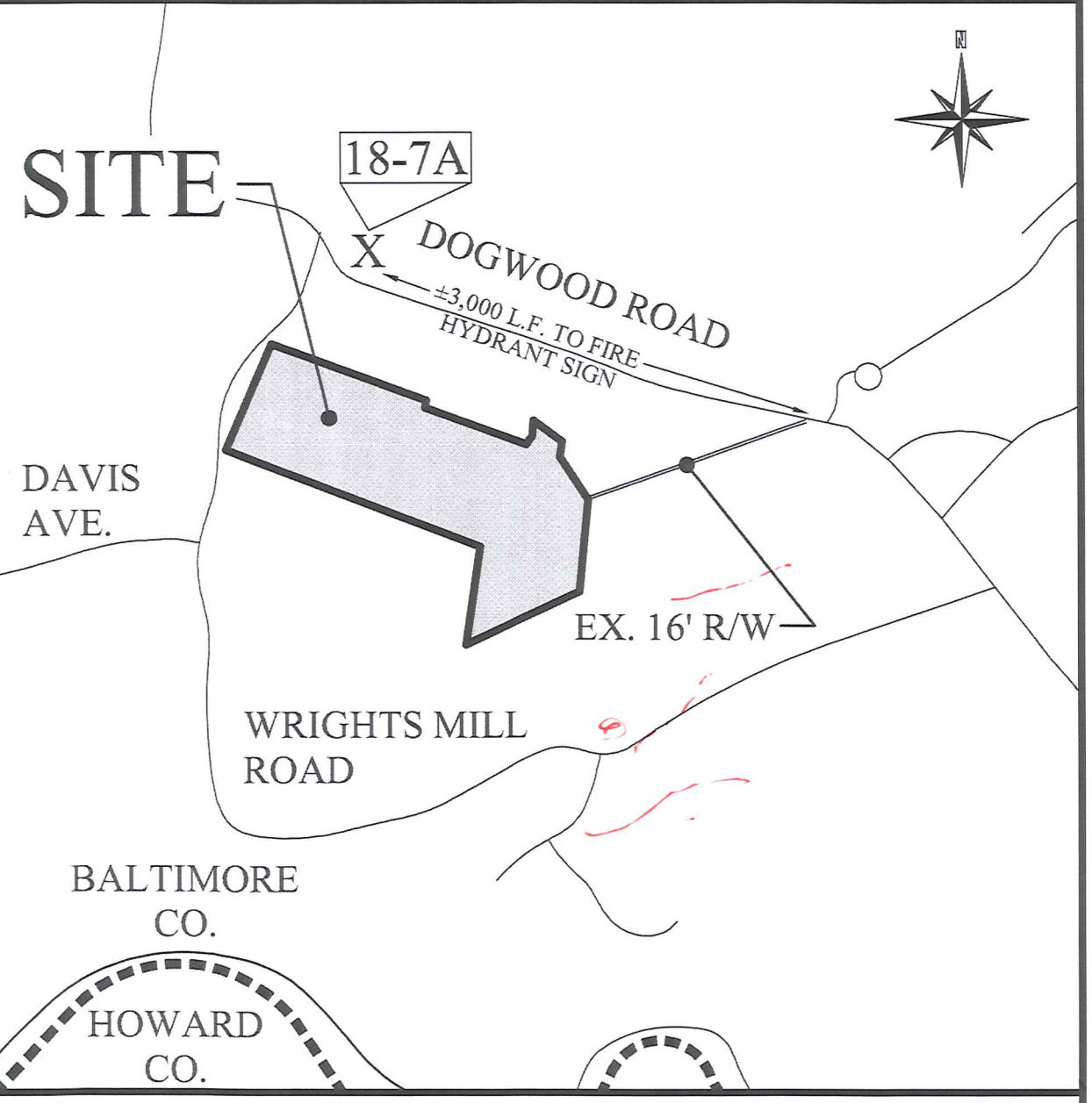


LEGEND

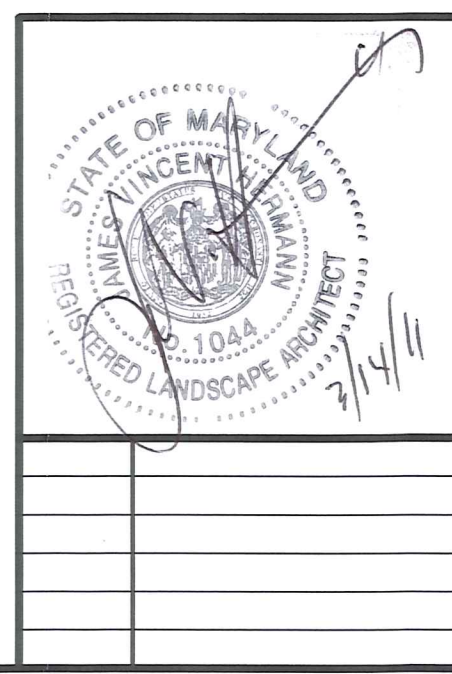
- TRACT BOUNDARY
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING TREE LINE
- EXISTING HYDROLOGY
- ADJACENT PROPERTY LINE
- EXISTING SOILS
- EXISTING FLOODPLAIN
- (ZONE A) APPROXIMATE
- EXISTING BUILDING
- PROPOSED FENCE
- PROPOSED RESIDENCE

SOILS CHART

SYMBOL	SOILS SERIES	SLOPE
GdB	GLENELG LOAM	3-8%
MdE	MANOR-BRINKLOW COMPLEX	25-45%
GaC	GAILA LOAM	8-15%
GbC	GLENNVILLE SILT LOAM	8-15%
MaD	MANOR LOAM	15-25%
CfA	CODORUS SILT LOAM	0-3%



- SPECIAL EXCEPTION**
1. TO APPROVE A RIDING STABLE AS PER BCZR 1A01.2.C.21.
 2. FOR SUCH OTHER AND FURTHER RELIEF AS THE ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.
- SPECIAL HEARING**
1. TO CONFIRM AN EXISTING NON-CONFORMING UNPAVED ACCESS ROADWAY OF VARIABLE WIDTH PURSUANT TO BCZR §104.1.
 2. TO APPROVE A MODIFIED PARKING PLAN FOR A RIDING STABLE WITHOUT A DURABLE AND DUSTLESS SURFACE AND WITHOUT STRIPED PARKING SPACES IN LIEU OF THE REQUIRED DURABLE AND DUSTLESS SURFACE AND STRIPED SPACES PURSUANT TO BCZR §409.8.2.
 3. FOR SUCH OTHER AND FURTHER RELIEF AS THE ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.



JvHermann & Associates, LLC
1895 Eden Mill Road
Pylesville, Maryland 21132
Phone: 410-688-6005
Email: jvherrmann@gmail.com

PLAN TO ACCOMPANY SPECIAL EXCEPTION & SPECIAL HEARING

8729 DOGWOOD ROAD
BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT 2 COUNCILMANIC DISTRICT 4

SCALE: AS SHOWN DWG NO. 2010-108A DATE: 03/12/2011 SHEET: 1 OF 1

ANY DWELLINGS MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING, BUT NOT LIMITED TO, NOISE, ODORS, FUMES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY DOES NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE, IF THE OPERATION COMPLIES WITH THESE REGULATIONS AND ALL FEDERAL, STATE, OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.

1. THERE SHALL BE NO CARPENTRY, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
2. ANY FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
3. ACCESS TO 36' FOREST CONSERVATION EASEMENT IS FROM DODSWORTH ROAD UTILIZING THE EXISTING RIGHT OF WAY RECORDED IN S.M. NO. 21800 FOLIO 44R1 AND THE PRIVATE 50 FEET USE IN COMMON RIGHT OF WAY AND THE PRIVATE 20 FEET USE IN COMMON RIGHT OF WAY.

LINE	BEARING	DISTANCE	RADIUS
1	S52°54'24"W	65.00'	N/A
2	S26°35'25"E	45.01'	N/A
3	S04°46'56"W	16.90'	N/A
4	S26°50'22"E	60.07'	N/A
5	N63°00'04"E	10.43'	N/A
6	N63°04'38"E	104.98'	N/A
7	N36°54'22"W	214.18'	N/A

1. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY PERFORMED BY GERNOLD, CROSS, AND ETZEL, LTD. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS LOTS 086C2 & 086C3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 36R. 2. ZERUS TRACT, RESIDENTIAL, REINING DISTRICT 3. N T N 4. PATAPSCO SUBDIVISION 5. SCHOL DISTRICT, ELEMENTARY - WINFIELD E.S.; MIDDLE - DEER PARK M.S.; HIGH - RANDALLSTOWN H.S. 6. MAP & GRID 7. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY. 8. THERE ARE NO KNOWN UTILITIES EITHER ABOVE OR WITHIN A HISTORIC DISTRICT. 9. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY. 10. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. 11. THERE ARE NO KNOWN FLOOD HAZARD ZONES OR FLOOD HAZARD AREAS WITHIN 100 FEET OF THE SUBJECT PROPERTY. 12. THERE ARE NO APPARENT WELLS OR SEPTIC SYSTEMS WITHIN 100' OF THE SUBJECT PROPERTY. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS. 13. THERE ARE NO GROUNDWATER PROBLEMS KNOWN TO THE SUBJECT PROPERTY. 14. THE ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPES BUT ARE NOT TO VIOLATE ANY OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS.) 15. OVERLAP OF TIES 16. 12.0' X 12.0' X 6.6' 17. LOCAL OPEN SPACE IS NOT REQUIRED FOR THIS PRIOR SUBDIVISION. 18. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD HAZARD AREAS OR HYDROLOGICALLY SENSITIVE AREAS. 19. HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW IDENTIFIED, SHOWN HEREON, ARE RESERVED UNTO THE BALTIMORE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS. 20. BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAT TO USE ALL OR ANY PART OF THAT LOT OR ANY PART THEREOF AS A DRIVEWAY OR EASEMENT FOR THE PURPOSES OF INSTALLING, RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT OF WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, GAS OR CABLE TV. 21. THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE NOVEMBER 14, 1907. THE DEVELOPER HEREBY CERTIFIES THAT NO PART OF THIS PROPERTY HAS EVER BEEN GRABBED AROUND OR SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS. 22. AS A CONDITION OF THIS OFFER, THE DEVELOPER IS REQUIRED, DEPENDING ON THE NUMBER OF LOTS CREATED AS DETERMINED FROM ZONING AND THE EFFECTIVE DATE OF THE ZONING REGULATIONS FOR THAT ZONE: 23. THE BASIC SERVICE MAPS DO NOT REVEAL ANY EXISTING OR IMPENDING FAILURE. 24. DISTRIBUTION OF VACANT LOTS TO BE SPLIT INTO SINGLE FAMILY LOTS. 25. PER SECTION 190.3(A)(2)(C) HEIGHT REGULATION, NO STRUCTURE HEREAFTER ERECTED IN AN R.G. 2 ZONE SHALL EXCEED A HEIGHT OF 30 FEET, EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 300. 26. ALL EASEMENTS WILL COMPLY WITH SECTION 404.4 (B)(2)(3) ALL PARCELS AND HANDLING AREAS WILL BE PAVED. 27. THE EXISTING OFF-SITE BARN SHALL BE ACQUIRED BY THE DEVELOPER PRIOR TO THE CONVEYANCE OF LOTS. 28. THE DRIVEWAY MAY BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR THE LOT OR THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.

FROM ANY BUILDING FACE TO: CENTERLINE OF ANY STREET	75'
FROM ANY BUILDING FACE TO: LOT LINE OTHER THAN A STREET LINE	35'

GROSS AREA	4.05 Ac.±
HIGHWAY WIDENING	0 Ac.±
NET AREA	4.05 Ac.±
LOTS PERMITTED	2-100 Ac.± = 2 Lots
LOTS PROPOSED	2

MICHAEL A BAGBY
5 PUTTING WAY
REISTERSTOWN, MD 21136
410-526-2242

DEVELOPMENT REGULATIONS

☒ Exempt from Article 32, Title 4, Subtitle 2, BCC

☐ Paraphrase exempt from Sections 32-4-211 through 32-4-217 and Sections 32-4-226 and 32-4-227, BCC

☒ Approved ☐ Disapproved

By: Jeffrey Perlow Date: 7/14/06

APPROVED, DEPRM

By: Thomas L. O'Shea Date: 7/22/06 *THO*

DOSNOOD ROAD
Deed Ref: S.M. No. 21509 folio 36
Tax Account No.: 17-00-010022
Zoned R.C. 2; 615 Tiles 086C2 & 086C3
Tax Map 86; Grid 18; Parcel 354
2nd ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: January 17, 2006

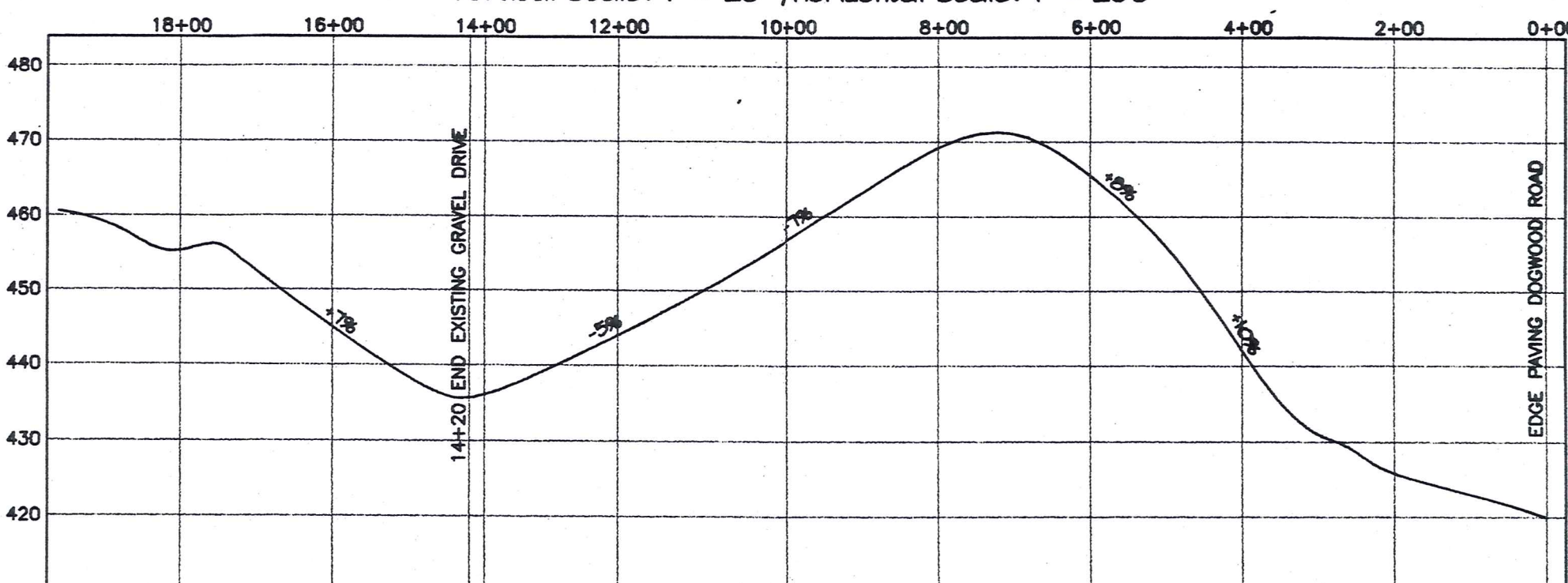
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

STORM WATER MANAGEMENT MAY NOT BE REQUIRED AT THIS SITE. SECTION 2-150.3(d) OF THE BALTIMORE COUNTY CODE TITLE 14, ARTICLE V, STORM WATER MANAGEMENT SECTION 14-155(d), ALLOWS A VARIANCE TO BE GRANTED IF STRICT ADHERENCE TO THE PROVISIONS WOULD RESULT IN UNREASONABLE HARDSHIP OR PRACTICAL DIFFICULTY AND NOT FULFILL THE INTENT OF THIS DIVISION. THIS VARIANCE IS VALID AS LONG AS THE FOLLOWING CONDITIONS ARE ADDRESSED:

1. ALL SITE RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORM DRAIN OR ADJACENT PROPERTY.
2. TOTAL AREA OF EROSION DISTURBANCE MUST BE NOTED ON THE PLAN. LIMITS OF DISTURBANCE MUST BE DELINEATED.
3. ALL IMPERVIOUS AREAS SHOULD BE LIMITED TO 30% OF CLEARED AREA AND CONVERTED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT EXAGGERATING EROSION.
4. HOUSE DOWNSPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS OR INTO DRY WELLS, WHERE FEASIBLE.
5. ALL EXISTING SURVEYING MONUMENTS, PARCELS AND/OR LOTS WILL REQUIRE SMM CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.

IF THESE CONDITIONS FOR A VARIANCE CANNOT BE SATISFIED, THEN A WAIVER OR VARIANCE REQUEST MUST BE SUBMITTED TO THE DIVISION OF DESIGN AND REVIEW OF THE BUREAU OF ENGINEERING SERVICES WITH SUPPORTING HYDROLOGIC ANALYSIS AND IT MUST BE APPROVED PRIOR TO THIS SUBDIVISION.

Vertical Scale: $1'' = 20'$; Horizontal Scale: $1'' = 200'$



TYPE	SEPTIC FILTER FIELDS	HOMESTES W/BASEMENT	STREETS & PARKING
BaB	Severe: high water table; poor natural drainage; slow permeability.	Severe: high water table; poor natural drainage.	Severe: high water table; poor natural drainage.
CcB2, MbB2	Slight.	Slight.	Moderate: slope
GcC2, GcC2 GcC3, GcC2	Moderate: slope	Moderate: slope	Severe: slope
GcD2, GcD3 MbD2, MbD3	Severe: slope	Severe: slope	Severe: slope

EXISTING WELL

DRY WELL

EXISTING CLEANOUT

PASSED PERC TEST

EXISTING BUILDING

PROPOSED DWELLING

SOIL LINE

WOODS LINE

EXISTING PAVING

PROPOSED PAVING

ZONING LINE

PROPERTY LINE

LIMIT OF DISTURBANCE

CONTOURS

SLOPES $\geq 25\%$



I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION COMMENTS AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCY COMMENTS

LOT 1 DWELLING DRIVE AND LOT REVISED LOT 2 BUILDING DEVELOPE AND SRA REVISED	09-24-2006
LOT 1 FELL DROPPED	09-18-2006
CORNERS SET AND LINE ANNOTATIONS CORRECTED	04-04-2006
SHOW BALTIMORE COUNTY ACCESS EASEMENTS	04-04-2006
REVISE BUILDING SETBACK LINES AND LOT 1 SRA	09-21-2006
REVISE LOT 1 SRA AND SHOW EXISTING 20' R/W	09-21-2006
DWELLING ORIENTATION REVISED	09-14-2006
ADDRESSED FIRST REVIEW COMMENTS	05-09-2006
LOCATED STREET AND DRIVEWAY SHOWN	03-17-2006
DEED CHANGED TO SURVEYED BOUNDARY	03-18-2006
REVISION	DATE

AGRICULTURAL NOTE

ANY DWELLING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING, BUT NOT LIMITED TO, NOISE, ODORS, FUMES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE, IF THE OPERATION COMPLIES WITH THESE REGULATIONS AND ALL FEDERAL, STATE, OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.

FOREST CONSERVATION EASEMENT NOTES

- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- ACCESS TO THE FOREST CONSERVATION EASEMENT IS FROM DOGWOOD ROAD UTILIZING THE EXISTING RIGHT OF WAY RECORDED IN S.M. NO. 21800 FOLIO 494 AND THE PRIVATE 50 FEET USE IN COMMON RIGHT OF WAY AND THE PRIVATE 20 FEET USE IN COMMON RIGHT OF WAY.

FOREST CONSERVATION EASEMENT 1 (0.41 ACRE)

LINE	BEARING	DISTANCE	RADIUS
1	S62°54'24"E	65.00'	N/A
2	S28°35'25"E	45.01'	N/A
3	Chd=S63°36'14"E	Chd=21.70', A=28.51'	35.00'
4	S04°46'56"E	16.90'	N/A
5	S26°50'22"E	60.01'	N/A
6	N85°00'01"E	10.83'	N/A
7	N63°01'38"E	104.98'	N/A
8	N56°54'22"W	214.18'	N/A

GENERAL NOTES

- THE BOUNDARY SHOWN HEREON IS FROM A SURVEY PERFORMED BY GERHOLD, CROSS, AND ETZEL, LTD.
- THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY (S.M. TILES 086C2 & 086C3).
- THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 36R.
- REGIONAL PLANNING DISTRICT 31
- PATAPSCO SUBDIVISION
- SCHOOL DISTRICT: ELEMENTARY - WINFIELD E.S.; MIDDLE - DEER PARK M.S.; HIGH - RANDALLSTOWN H.S.
- ADJ. MAP 4 (680) 32 38
- THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
- THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
- THERE ARE NO APPARENT WELLS OR SEPTIC SYSTEMS WITHIN LOT OF THE SUBJECT PROPERTY.
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
- NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREAS.
- THE ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY.
- ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 400 AND 501 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
- AVERAGE DAILY TRIPS (2 LOTS X 12.4 = 24.8)
- LOCAL OPEN SPACE IS NOT REQUIRED FOR MINOR SUBDIVISIONS.
- ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
- HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED INTO THE BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED TO THE RIGHT OF ANY LAND DESIGNATED AS PRIVATE RIGHT OF WAY FOR THE PURPOSES OF INGRESS, EGRESS, OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT OF WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TV.
- THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE NOVEMBER 14, 1901. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
- A ZONING FINAL DEVELOPMENT PLAN MAY BE REQUIRED, DEPENDING ON THE NUMBER OF LOTS CREATED.
- AS DETERMINED FROM ZONING AND THE EFFECTIVE DATE OF THE ZONING REGULATIONS FOR THAT ZONE.
- THE BASIC SERVICE MAPS DO NOT REVEAL ANY EXISTING OR IMPENDING FAILURE.
- EXISTING USE: VACANT, PROPOSED USE: TWO SINGLE FAMILY DWELLINGS
- PER SECTION 1A(3)A(2)(2) HEIGHT REGULATION, NO STRUCTURE HEREONER DIRECTED IN AN R.C. 2 ZONE SHALL EXCEED A HEIGHT OF 35 FEET, EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 500.
- ALL DRIVEWAYS WILL COMPLY WITH SECTION 400.4 (BGR). ALL PARKING AND MANEUVERING AREAS WILL BE PAVED.
- THE EXISTING OFF-SITE BARN SHALL BE RAZED BY THE DEVELOPER PRIOR TO THE CONVEYANCE OF LOTS.
- THE DRIVEWAY SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.

ZONING ORDER

CASE NO. 06-400-SPH

WHEREFORE, IT IS ORDERED by the Zoning Commission for the Baltimore County that the 25th day of April, 2006 that the Petition for Special Zoning to approve access to the lot over the proposed driveway through the existing right-of-way, which is 16 feet wide and approximately 1,055 feet long, in lieu of the required 16-foot wide, pursuant to Section 32-4-009(c) of the Baltimore County Code, be granted subject to the following conditions:

- The Petitioner may apply for the final building permit and be granted access to the lot over the proposed driveway through the existing right-of-way, which is 16 feet wide and approximately 1,055 feet long, in lieu of the required 16-foot wide, pursuant to Section 32-4-009(c) of the Baltimore County Code, be granted subject to the following conditions:
- The relief granted herein is limited to proposed Lots 1 and 2. In the event of any future subdivision of the subject property, the present relief shall be improved and paved within one year of the issuance of the final occupancy permit and prior to the issuance of the occupancy permit of the last lot to be served, whichever comes first. In addition, for any future access road serving more than the two lots in the subject subdivision (PDC# 06-009-24) a permanent (non-to-be-reversed and maintained) shall be provided with the relief plan for the lot.
- When applying for a building permit, the site plan shall show and indicate this use and not be used to indicate the construction of this Order.

WTH:dr

[Signature]
Zoning Commissioner
for Baltimore County

STORM WATER MANAGEMENT NOTES

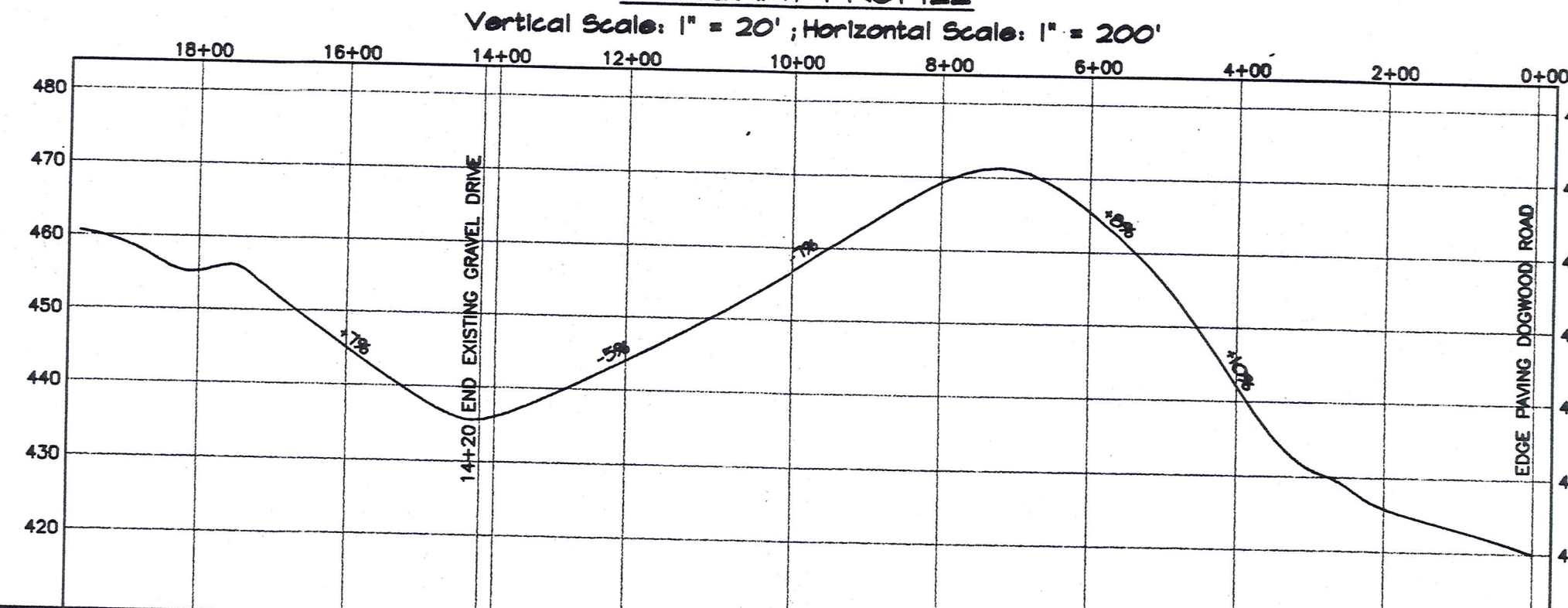
STORM WATER MANAGEMENT MAY NOT BE REQUIRED AT THIS SITE. SECTION 2-150.3(b) OF THE BALTIMORE COUNTY CODE TITLE 14, ARTICLE V, STORM WATER MANAGEMENT SECTION 14-150.3(b), ALLOWS A VARIANCE TO BE GRANTED IF STRICT ADHERENCE TO THE PROVISIONS WOULD RESULT IN UNREASONABLE HARDSHIP OR PRACTICAL DIFFICULTY AND NOT FULFILL THE INTENT OF THIS DIVISION. THIS VARIANCE IS VALID AS LONG AS THE FOLLOWING CONDITIONS ARE ADDRESSED:

- ALL SITE RUNOFF MUST BE CONVERTED TO A SUITABLE CUTOFF WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORM DRAIN OR ADJACENT PROPERTY.
- TOTAL AREA OF LAND DISTURBANCE MUST BE NOTED ON THE PLAN. LIMITS OF DISTURBANCE MUST BE DELINEATED.
- ALL IMPERVIOUS AREAS SHOULD BE LIMITED TO 30% OF CLEARED AREA AND CONVEYED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATIONS OR CAUSING EROSION.
- HOUSE DOWNSPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS OR INTO DRY WELLS, WHERE FEASIBLE.
- ADDITIONAL SUBDIVISION ON THESE PARCELS AND/OR LOTS WILL REQUIRE SPM CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.

IF THESE CONDITIONS FOR A VARIANCE CANNOT BE SATISFIED, THEN A WAIVER OR VARIANCE REQUEST MUST BE SUBMITTED TO THE DIVISION OF DESIGN AND REVIEW OF THE BUREAU OF ENGINEERING SERVICES WITH SUPPORTING HYDROLOGIC ANALYSIS AND IT MUST BE APPROVED PRIOR TO THIS SUBDIVISION.

DRIVEWAY PROFILE

Vertical Scale: 1" = 20'; Horizontal Scale: 1" = 200'



SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITE W/ASEMENT	STREETS & PARKING
BaB	Severe: high water table; poor natural drainage; slow permeability.	Severe: high water table; poor natural drainage.	Severe: high water table; poor natural drainage.
CcB2, MbB2	Slight.	Slight.	Moderate: slope
CcC2, GcC2, GcC3, GcC2	Moderate: slope	Moderate: slope	Severe: slope
GcD2, GcD3, MbD2, MbD3	Severe: slope	Severe: slope	Severe: slope

SYMBOLS LEGEND

- EXISTING WELL
- DRY WELL
- EXISTING CLEANOUT
- PASSED PERC TEST
- EXISTING BUILDING
- PROPOSED DWELLING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- PROPOSED PAVING
- ZONING LINE
- PROPERTY LINE
- LIMIT OF DISTURBANCE
- CONTOURS
- SLOPES ≥ 25%

R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

- FROM ANY BUILDING FACE TO: CENTERLINE OF ANY STREET 75'
- FROM ANY BUILDING FACE TO: LOT LINE OTHER THAN A STREET LINE 35'

DENSITY CALCULATIONS

GROSS AREA	4.05 Ac.±
HIGHWAY WIDENING	0 Ac.±
NET AREA	4.05 Ac.±
LOTS PERMITTED	2-100 Ac.± = 2 Lots
LOTS PROPOSED	2

OWNER/DEVELOPER

MICHAEL A BAGBY
5 PUTTING WAY
REISTERSTOWN, MD 21156
410-526-2242

BALTIMORE COUNTY MINOR SUBDIVISION

Project No. 06-004-M

DEVELOPMENT REGULATIONS

- ☒ Exempt from Article 32, Title 4, Subtitle 2, BCC
- ☐ Partially exempt from Sections 32-4-211 through 32-4-217 and Sections 32-4-226 and 32-4-227, BCC

PDV CERTIFICATION

- ☒ Approved ☐ Disapproved

By: *[Signature]* Date: 7/14/06

APPROVED, DEPRM

By: *[Signature]* Date: 7/22/06

PDM #06-004-M

MINOR SUBDIVISION OF

BAGBY PROPERTY

DOGWOOD ROAD

Deed Ref: S.M. No. 21509 folio 36

Tax Account No.: 17-00-010022

Zoned R.C. 2; 615 Tiles 086C2 & 086C3

Tax Map 86; Grid 10; Parcel 354

2nd ELECTION DISTRICT

4th COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

Scale: 1" = 100' Date: January 17, 2006

GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100

320 East Townsontown Boulevard

Towson, Maryland 21286

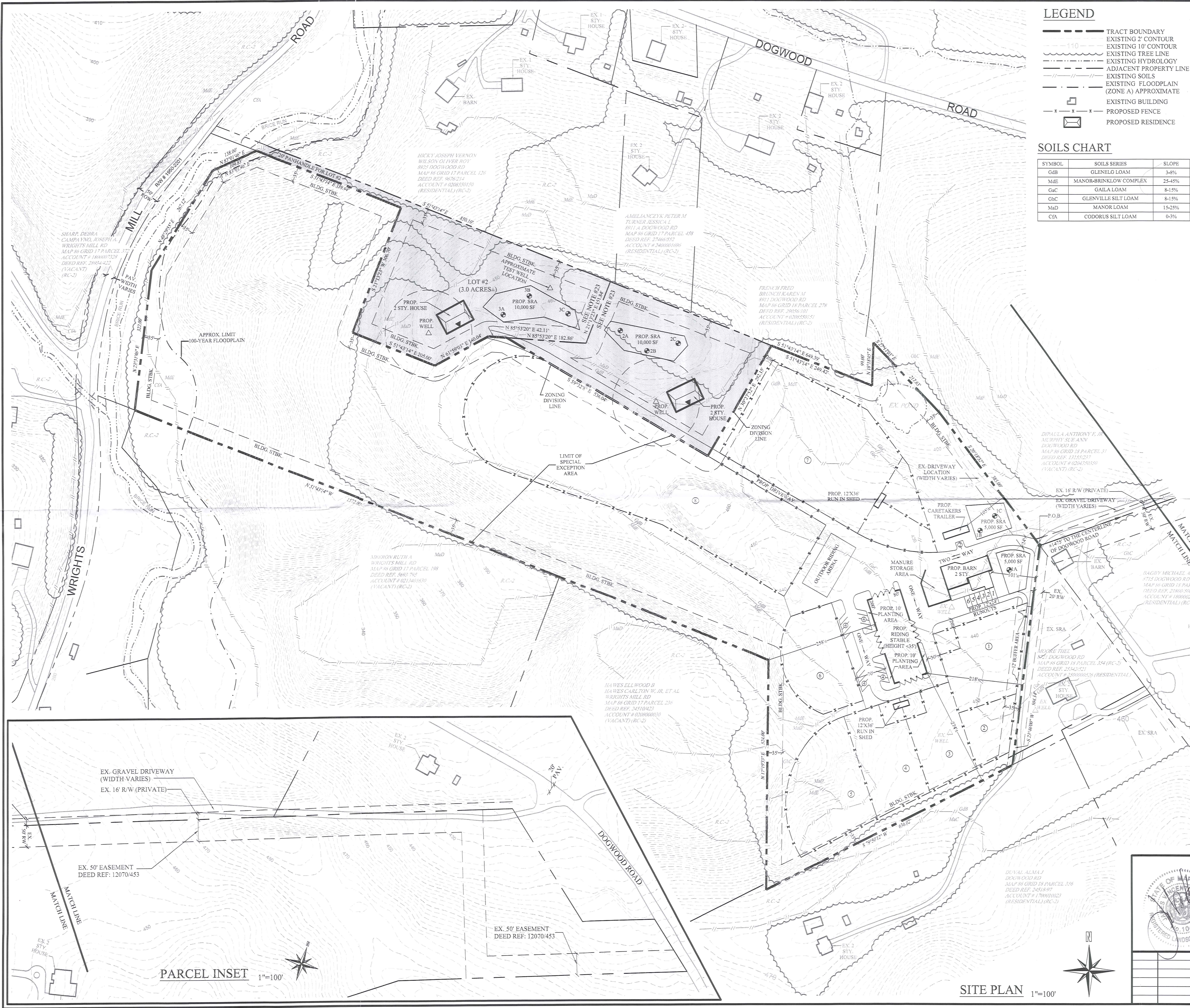
(410) 823-4470



I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION COMMENTS AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCY COMMENTS

REVISION	DATE	COMPUTED	DRAWN	CHECKED	FILE
LOT 1 DWELLING, DRIVE AND LOT REVISED	08-24-2006				
LOT 2 BUILDING ENVELOPE AND SRA REVISED	09-18-2006				
LOT 1 WELL DRILLED	04-20-2006				
CORNER SET AND LINE ANNOTATIONS CORRECTED	04-04-2006				
SHOW BALTIMORE COUNTY ACCESS EASEMENTS	09-21-2006				
REVISE BUILDING SETBACK LINES AND LOT 1 SRA	09-11-2006				
REVISE LOT 1 SRA AND SHOW EXISTING 30' R/W	09-11-2006				
DWELLING ORIENTATION REVISED	09-14-2006				
ADDRESSED FIRST REVIEW COMMENTS	09-09-2006				
LOCATED STREET AND DRIVEWAY SHOWN	02-11-2006				
DEED CHANGED TO SURVEYED BOUNDARY	02-19-2006				

COMPUTED: DRAWN: M.E.A. CHECKED: S.A.L. FILE: X:\Bagby\minorsub.pro



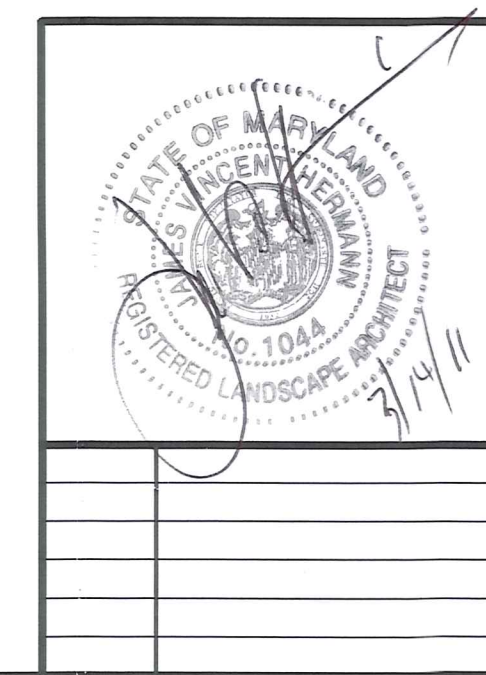
VICINITY MAP

SITE DATA:

- OWNER/APPLICANT: DEBBIE SHARP & JOSEPH CAMPAYNO
PROPERTY ADDRESS: 2772 WESTMINSTER ROAD, ELLICOTT CITY, MARYLAND 21043
PHONE: 410-480-5495
TAX MAP #, PARCEL: 8729 DOGWOOD ROAD, WINDSOR MILL, MARYLAND 21244
TAX NO.: MAP 86, PARCEL 243
ACREAGE: 02-020850711
ZONING: 35.93 ACRES +/- (1,565,110 S.F.)
EXISTING USE: R.C.2
PROPOSED USE: VACANT HORSE FARM AND RIDING STABLE AND RESIDENTIAL
- ELECTION DISTRICT: 2ND
- COUNCILMANIC DISTRICT: 4TH
- SETBACKS: NO PRINCIPAL STRUCTURE OR DWELLING (WHETHER OR NOT IT IS A PRINCIPAL STRUCTURE) IN AN R.C.2 ZONE MAY BE SITUATED WITHIN 75 FEET OF THE CENTER LINE OF ANY STREET OR WITHIN 35 FEET OF ANY LOT LINE OTHER THAN A STREET LINE.
- HEIGHT: 35 FEET
- PARKING REQUIRED: 15 PARKING SPACES
LARGEST WORKER SHIFT: 5 WORKERS = 5 PARKING SPACES
LARGEST NUMBER OF HORSES: 8 HORSES = 8 PARKING SPACES
- PARKING SPACES PROVIDED: 2 CARPENTER PARKING SPACES
RESIDENTIAL PARKING REQUIRED: 2 PARKING SPACES PER RESIDENCE (TOTAL 4)
RESIDENTIAL PARKING PROVIDED: 4 PARKING SPACES (2 IN GARAGE PER HOUSE)
- THIS PROPERTY IS PROPOSED TO BE SERVED BY PRIVATE WATER AND PRIVATE SEWER.
- ZONING MAP #086C2 - RECEIVED PRINT OUT OF EXISTING ZONING FROM BALTIMORE COUNTY'S DEPARTMENT OF ZONING ON 10-21-2010.
- ZONING HISTORY - THERE ARE NO PRIOR ZONING HEARINGS/CASES FOR THIS PROPERTY ON FILE WITH BALTIMORE COUNTY'S ZONING OFFICE.
- PREVIOUS COMMERCIAL PERMITS - PERMIT #0082901 - ELECTRICAL ISSUED 2-15-91
PERMIT #0139900 - GRADING ISSUED 8-10-92
DATE OF THE LAST IMPROVEMENT UNDER THESE PERMITS ARE UNKNOWN.
- PER FEMA FLOOD INSURANCE RATE MAP #240100355F THE SITE IS IN ZONE X AND A PORTION OF THE PROPERTY IS WITHIN A 100 YEAR FLOODPLAIN.
- BOUNDARY INFORMATION SHOWN HEREON IS BASED FROM PLATS AND DEEDS OF RECORD AND IS NOT A REPRESENTATION OF A FIELD RUN BOUNDARY SURVEY. GRID NORTH, MARYLAND COORDINATE SYSTEM NAD 83 91 PER GERRHOLD CROSS & ETZEL BALTIMORE COUNTY MINOR SUBDIVISION (PDM #06-009-M).
- THE SUBJECT PROPERTY IS NOT WITHIN THE SHED OF A FAILING INTERSECTION OR FAILING WATER OR SEWER AREA PER BALTIMORE COUNTY'S BASIC SERVICES MAPS.
- PROPOSED SIGNAGE SHALL COMPLY WITH SECTION 450 OF THE BCZR.
- THERE ARE NO PROPOSED STREET IMPROVEMENTS AND/OR RIGHT-OF-WAY HIGHWAY WIDENING FOR THIS PROJECT.
- THERE ARE NO EXISTING BUILDINGS ON SITE WITH THE EXCEPTION OF THE OLD EXISTING BARN FOUNDATION SHED.
- LIGHTING - PROPOSED LIGHTING IS TO BE TYPICAL OF A STANDARD FARMING AND AGRICULTURAL OPERATION.
- HANDICAPPED PARKING WILL BE PROVIDED AS REQUIRED.
- NO CURBING OR WHEEL STOPS ARE PROPOSED FOR THIS PROJECT.
- THE PROPOSED HOUSE, WELL, AND SEPTIC LOCATIONS ARE APPROXIMATE, SUBJECT TO CHANGE, AND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
- PROPOSED LANDSCAPING SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THE PROPOSED FENCE LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
- THE PROPERTY IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES ON THE PROPERTY MAY INCLUDE: (1) AGRICULTURAL USES, INCLUDING REARING OF YAKS, GOATS AND OTHER LIVESTOCK FOR FIBER AND MILK, THE BREEDING AND RAISING OF PONIES AND HORSES, REHABILITATION, RETRAINING AND RE-HOMING OF UNWANTED HORSES, GROWING OF HAY FOR LIVESTOCK, CULTIVATION OF CROPS FOR PERSONAL USE AND SALE, (2) RIDING STABLE AND ACCESSORY USES INCLUDING TEACHING OF PRIVATE AND SEMI-PRIVATE RIDING LESSONS, TEACHING HORSEMANSHIP AND EQUINE HUSBANDRY TO SMALL GROUPS, PRACTICE SCHOOLING SHOWS FOR STUDENTS TO PREPARE FOR COMPETITIONS, CLINICS ON A VARIETY OF EQUINE SUBJECTS, PROVISION OF EDUCATIONAL OUTREACH FOR THE WINDSOR MILL SCHOOL DISTRICT, (3) CONSTRUCT A PERSONAL DWELLING ON THE PREMISES AND ANY OTHER ACCESSORY USES AND USES PERMITTED BY RIGHT IN THE R.C. 2 ZONE.

- ### SPECIAL EXCEPTION
- TO APPROVE A RIDING STABLE AS PER BCZR 1A01.2.C.21.
 - FOR SUCH OTHER AND FURTHER RELIEF AS THE ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.

- ### SPECIAL HEARING
- TO CONFIRM AN EXISTING NON-CONFORMING UNPAVED ACCESS ROADWAY OF VARIABLE WIDTH PURSUANT TO BCZR §104.1.
 - TO APPROVE A MODIFIED PARKING PLAN FOR A RIDING STABLE WITHOUT A DURABLE AND DUSTLESS SURFACE AND WITHOUT STRIPED PARKING SPACES IN LIEU OF THE REQUIRED DURABLE AND DUSTLESS SURFACE AND STRIPED SPACES PURSUANT TO BCZR §408.2.
 - FOR SUCH OTHER AND FURTHER RELIEF AS THE ZONING COMMISSIONER MAY FIND NECESSARY AND APPROPRIATE.



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Pylesville, Maryland 21132
Phone: 410-688-6005
Email: jvherrmann@gmail.com

**PLAN TO ACCOMPANY SPECIAL
EXCEPTION & SPECIAL HEARING**
8729 DOGWOOD ROAD
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 2 COUNCILMANIC DISTRICT 4
SCALE: AS SHOWN DWG NO. 2010-108A DATE: 03/12/2011 SHEET: 1 OF 1

PARCEL INSET 1"=100'

SITE PLAN 1"=100'