

M E M O R A N D U M

DATE: February 29, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0116-SPH- Appeal Period Expired

The appeal period for the above-referenced case expired on February 26, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL HEARING *

(6217-6227 Glen Falls Road)

4th Election District *

3rd Council District *

Robert A. & Joyce T. Wetzler *

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0116-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Robert A. and Joyce T. Wetzler. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a nonconforming animal boarding place use in the RC 8 zone.

Robert A. and Joyce T. Wetzler and professional engineer Rick Richardson appeared in support of the petition. Adam Baker, Esq. with Whiteford, Taylor & Preston, LLP, represented the Petitioners. Michael Snyder, Esq., an attorney and neighbor, was also in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). Those agencies did not oppose the request, but provided certain conditions for inclusion in the final Order.

The subject property is 17.29 acres and zoned RC 8. The property is improved with a single-family dwelling and a commercial kennel operation known as "Tail End Kennel." Petitioners purchased the property in 1989, and have operated the kennel continuously since that time.

ORDER RECEIVED FOR FILING

Date 1/27/16

By Sen

Counsel explained the property was initially zoned RDP, which permitted kennels by right. In 1976, the property was rezoned to RC 4, a designation that does not permit kennels, by right or special exception. Thus, in order to establish a lawful nonconforming use, Petitioners must establish the kennel was in operation prior to 1976. Based on the documents presented at the hearing, it is clear that Petitioners made such a showing.

Petitioners submitted a series of Baltimore County Holding Facility/Kennel licenses, the earliest of which was issued in 1976. Petitioners' Exhibit 1A-1H. In addition, Petitioners also submitted affidavits of the prior owner (Robert Krasniewski) and a former kennel employee (Gail Warniek) which establish the kennel has been in "continuous operation on the property since 1971." Petitioners' Exhibit 2. As such, Petitioners have proven the kennel operation qualifies as a lawful nonconforming use under B.C.Z.R. § 104. Petitioners conceded at the hearing that they enlarged the kennel after acquiring the property in 1989, at which time they were informed by County officials that they had extended the nonconforming use by 25%, as permitted under B.C.Z.R. § 104.3. As such, no further extension of the nonconforming kennel is permitted. Mr. Snyder, who lives nearby, requested the plan be amended to reflect the area of the overall site in which the kennel use has historically been conducted. Mr. Richardson amended the site plan to identify that area and a condition concerning that issue is included in the Order below.

THEREFORE, IT IS ORDERED this 27th day of **January, 2016** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve a non-conforming animal boarding place use in the RC 8 zone, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

1/27/16

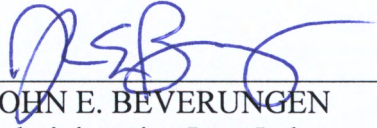
By

Devi

The relief granted herein shall be subject to the following:

1. The nonconforming kennel use must be conducted entirely within the boundaries shown on the redline site plan which was signed and sealed by Professional Engineer Rick Richardson on January 7, 2016
2. No further extension of the kennel use, or relocation of existing buildings shall be permitted.
3. All existing trees between kennel building and Glen Falls Road shall remain undisturbed.
4. Landscaping shall be provided at the site as determined in the sole discretion of the Baltimore County Landscape Architect.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1/27/14

By Sen



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

January 27, 2016

Adam Baker, Esq.
Whiteford, Taylor & Preston, LLP
8830 Stanford Boulevard, Suite 400
Columbia, Maryland 21045

RE: Petition for Special Hearing
Case No. 2016-0116-SPH
Property: 6217-6227 Glen Falls Road

Dear Mr. Baker:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal stroke extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Michael Snyder, Esq., 400 Allegheny Avenue, Towson, Maryland 21204

2006-0116-SPH

11/05/2015
AT,

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 6217 Glen Falls Road, Reisterstown, MD 21136-4517 which is presently zoned RC 8
 Deed References: Liber 26657, folio 00612 10 Digit Tax Account # 0 4 2 6 0 2 0 1 7 5
 Property Owner(s) Printed Name(s) Robert A. Wetzler and Joyce T. Wetzler

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached.

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To be presented at the Hearing.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Adam Baker
 Name- Type or Print _____
 Signature _____
 Whiteford, Taylor & Preston, L.L.P.
 8830 Stanford Boulevard, Suite 400, Columbia, MD
 Mailing Address _____ City _____ State _____
 21045 / (410) 832-2052 / abaker@wtplaw.com
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Robert A. Wetzler / Joyce T. Wetzler
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 _____ Signature #2 _____
 6217 Glen Falls Road, Reisterstown, Md
 Mailing Address _____ City _____ State _____
 21136-4517 / (410) 833-3293 /
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Adam Baker
 Name - Type or Print _____
 Signature _____
 8830 Stanford Boulevard, Suite 400, Columbia, MD
 Mailing Address _____ City _____ State _____
 21045 / (410) 832-2052 / abaker@wtplaw.com
 Zip Code _____ Telephone # _____ Email Address _____

PETITION FOR ZONING HEARING
6217⁶²²⁵ GLEN FALLS ROAD

Special Hearing Relief Requested:

1. Special Hearing for approval of a non-conforming animal boarding place use in the R-8 zone.

2159264

2016-0116-SPH

**ZONING DESCRIPTION FOR
6217-6225 GLEN FALLS ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the South side of Glen Falls Road (60' R.O.W.) at a distance of 783 feet north of the centerline intersection of Glen Falls Road and Hollingsworth Road, thence leaving said R.O.W. (1) South 41 degrees 14 minutes 30 seconds East 522.49 feet, (2) North 71 degrees 20 minutes 00 seconds 986.00 feet, (3) North 33 degrees 54 minutes 00 seconds East 183.00 feet, (4) North 46 degrees 24 minutes 00 seconds West 678.18 feet, (5) South 45 degrees 35 minutes 47 seconds West 350.00 feet, (6) North 46 degrees 24 minutes 00 seconds West 280.00 feet to a point on the south side of Glen Falls Road; thence binding on said south side the following courses and distances; (7) South 45 degrees 35 minutes 47 seconds 5.17 West feet, (8) thence by a curve to the left, having a radius of 2970.00 feet and an arc length of 252.23 feet, (9) South 40 degrees 43 minutes 00 seconds West 399.55 feet to the point of beginning;

Containing a net area of 733,523 square feet, or 16.84 acres of land, more or less.



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF
MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2017.

2016-0116-SPH

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

No. **128779**
 Date: **11/05/15**

PAID RECEIPT

BUSINESS ACTUAL TSE
 1/05/2015 11:05:02 11:15:02
 RE: WASH. WALKIN LEAD LTR
 11/05/2015 11:05:02
 BAL. 12877
 Receipt Tot 500.00
 1500.00 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 500
Total:								\$ 500

Rec From: _____
 For: **621 6225 GLEN FALLS ROAD**
2016-0116-SPH

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

**CASHIER'S
 VALIDATION**

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: 2016-0116-SPH

Petitioner: ROBERT & Joyce Wetzel

Address or Location: 6217 Glen Falls Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adam Baker

Address: 0030 Stanford Blvd, Ste 400
Columbia, MD 21045

Telephone Number: 410.332.2052



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3813241

Sold To:

Adam Baker - CU00508756
8830 Stanford Blvd
Ste 400
Columbia, MD 21045-5425

Bill To:

Adam Baker - CU00508756
8830 Stanford Blvd
Ste 400
Columbia, MD 21045-5425

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 17, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2016-0116-SPH
6217-6227 Glen Falls Road
S/s Glen Falls Road, 783 ft. N/of centerline of Hollingsworth Road
4th Election District - 3rd Councilmanic District
Legal Owner(s) Robert & Joyce Wetzler

Special Hearing: for approval of a non-conforming animal boarding place use in the R-8 zone.

Hearing: Thursday, January 7, 2016 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 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.

12/147 Dec. 17 3813241

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 12/14/2015

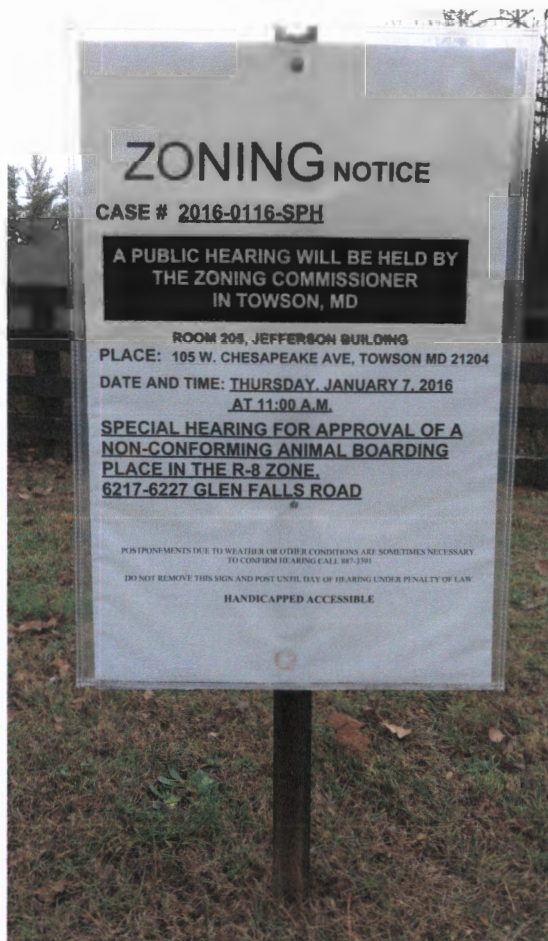
Case Number: 2016-0116-SPH

Petitioner / Developer: ADAM BAKER, ESQ.~ MR. & MRS. WETZLER

Date of Hearing (Closing): JANUARY 7, 2016

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
6217-6227 GLEN FALLS ROAD

The sign(s) were posted on: DECEMBER 14, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



KEVIN KAMENETZ
County Executive

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

November 23, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2016-0116-SPH

6217-6227 Glen Falls Road

S/s Glen Falls Road, 783 ft. ft. N/of centerline of Hollingsworth Road

4th Election District – 3rd Councilmanic District

Legal Owners: Robert & Joyce Wetzler

Special Hearing for approval of a non-conforming animal boarding place use in the R-8 zone.

Hearing: Thursday, January 7, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Adam Baker, 8830 Stanford Blvd., Ste. 400, Columbia 21045
Mr. & Mrs. Wetzler, 6217 Glen Falls Road, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 18, 2015**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 17, 2015 Issue - Jeffersonian

Please forward billing to:

Adam Baker
8830 Stanford Blvd., Ste. 400
Columbia, MD 21045

410-832-2052

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2016-0116-SPH

6217-6227 Glen Falls Road

S/s Glen Falls Road, 783 ft. N/of centerline of Hollingsworth Road

4th Election District – 3rd Councilmanic District

Legal Owners: Robert & Joyce Wetzler

Special Hearing for approval of a non-conforming animal boarding place use in the R-8 zone.

Hearing: Thursday, January 7, 2016 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
6225-6227 Glen Falls Road; S/S Glen Falls Rd, *
783' N of c/line Hollingsworth Road * OF ADMINISTRATIVE
4th Election & 3rd Councilmanic Districts *
Legal Owner(s): Robert & Joyce Wetzler * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2016-116-SPH

* * * * *

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.

RECEIVED

NOV 10 2015

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 10th day of November, 2015, a copy of the foregoing Entry of Appearance was mailed to Adam Baker, Esquire. 8830 Stanford Boulevard, Suite 400, Columbia, Maryland 21045, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.: 2016-116-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	1A-1H Kennel Licenses	
No. 2	Affidavit of Gail Wernick	
No. 3	Affidavit - Krasniewski	
No. 4	Photos	
No. 5	site plan	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

LICENSE NO. 71-72-73-74-75

APPLICATION FOR HOLDING FACILITY LICENSE

BALTIMORE COUNTY, YEAR OF 1976

SUBJECT TO APPROVAL BY: Department of Zoning
Bureau of Animal Control

ELECTION DISTRICT 4th DATE _____

OWNER THE ULMAN FAMILY FACILITY NAME TAIL END KENNEL II

ADDRESS 6217 GLEN FALL RD. Rest Md ZIP CODE 21136 ADDRESS 6225 GLEN FALLS RD Rest, Md ZIP CODE 211

PHONE NUMBER 833-8534 PHONE NUMBER 833-6767

TYPE OF FACILITY BOARDING KENNEL

NUMBER OF ANIMALS 100 TYPE OF ANIMALS DOGS + CAT

STATE LICENSE NO. _____ FEDERAL LICENSE NO. _____

TYPE OF ENCLOSURE ☐ IN DWELLING ☒ SEPARATE BUILDING

☐ MOBILE ☒ FENCED AREA

DISTANCE FROM ENCLOSURE TO NEAREST PROPERTY LINE 300 FEET

Kindly complete the above items and send to Animal Control
Agency, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland 21204.

APPROVED BY:

Henri R. Kenna

Office of Planning and Zoning

DATE: 5-11-78

Went in under RDP

Elson Breweel

Bureau of Animal Control

DATE: 5-16-78

Adel Ulman

SIGNATURE OF APPLICANT

DATE: 11-23-76

DO NOT

THROW AWAY

PETITIONER'S EXHIBIT la-h

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 026-C

FEDERAL PERMIT NO. _____

STATE PERMIT NO. _____

VALID JULY 1, 2014 THROUGH JUNE 30, 2015

EXPIRATION DATE _____

EXPIRATION DATE _____

MAILING INFORMATION JOYCE T. WETZLER / J.W. KENNELS, INC. 6217 GLEN FALLS ROAD REISTERSTOWN, MD 21136	FACILITY/OWNER INFORMATION TAIL END KENNELS 6225 GLEN FALLS ROAD REISTERSTOWN, MD 21136
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u> AVERAGE NO. OF ANIMALS AT THIS FACILITY <u>40</u> TYPE OF ANIMALS <u>CATS AND DOGS (ALL BREEDS)</u>	
WILD ANIMAL INFORMATION COMMON NAME _____ ZOOLOGICAL NAME _____ PURPOSE FOR KEEPING WILD ANIMAL _____ IN CASE OF EMERGENCY NOTIFY: NAME _____ TELEPHONE _____ ADDRESS _____ ZIP CODE _____	
 DIRECTOR, PERMITS, APPROVALS AND INSPECTIONS JUNE 13, 2014 DATE ISSUED THIS LICENSE IS ISSUED WITH THE APPROVAL OF BALTIMORE COUNTY DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL IN ACCORDANCE WITH THE BALTIMORE COUNTY CODE, ARTICLE 12, TITLE 6, SECTIONS 12-6-101 THROUGH 12-6-105 AND BALTIMORE COUNTY ZONING REGULATIONS (BCZR SECTIONS 101 & 421). THIS LICENSE MUST BE PUBLICLY DISPLAYED REV 6/11	

Owner Address _____

Mailing Name none Phone No. 410-833-4646

Mailing Address _____ Zip Code 21136

Signature of Facility Owner Joyce T. Wetzler Pres. Date 5/21/14

ZONING REVIEW

APPROVAL / DISAPPROVAL previous approval (Circle one) Reviewer's Signature m. LaFlamme Date 5/27/14

If disapproved, state reason(s) _____

ANIMAL CONTROL REVIEW

APPROVAL / DISAPPROVAL approval (Circle one) Reviewer's Signature _____ Date 6/5/14

If disapproved, state reason(s) _____

OFFICE USE ONLY

Date Received 5/23/14 Cash Receipt Date 5/27/14 Cash Receipt No. B1351000 License No. 026-C

Fee: \$25.00 \$125.00 \$190.00 \$375.00 Late Penalty Fee (Renewals rec'd after July 31): \$43.75 \$218.75 \$332.50 \$656.25

Date Issued 6/13/14 Data Entered 12-9-14 Initials AS

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 136-C
FEDERAL PERMIT NO. _____
STATE PERMIT NO. _____

VALID JULY 1, 2013 THROUGH JUNE 30, 2014
EXPIRATION DATE _____
EXPIRATION DATE _____

MAILING INFORMATION J.W. KENNELS, INC. / JOYCE T. WETZLER 6217 GLEN FALLS ROAD REISTERSTOWN, MD 21136	FACILITY/OWNER INFORMATION TAIL END KENNELS 6225 GLEN FALLS ROAD REISTERSTOWN, MD 21136
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u> AVERAGE NO. OF ANIMALS AT THIS FACILITY <u>30</u> TYPE OF ANIMALS <u>CATS & DOGS (VARIOUS BREEDS)</u>	
WILD ANIMAL INFORMATION COMMON NAME _____ ZOOLOGICAL NAME _____ PURPOSE FOR KEEPING WILD ANIMAL _____ IN CASE OF EMERGENCY NOTIFY: NAME _____ TELEPHONE _____ ADDRESS _____ ZIP CODE _____	
AUGUST 13, 2013 DIRECTOR, PERMITS, APPROVALS AND INSPECTIONS _____ DATE ISSUED _____ THIS LICENSE IS ISSUED WITH THE APPROVAL OF BALTIMORE COUNTY DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL IN ACCORDANCE WITH THE BALTIMORE COUNTY CODE, ARTICLE 12, TITLE 6, SECTIONS 12-6-101 THROUGH 12-6-105 AND BALTIMORE COUNTY ZONING REGULATIONS (BCZR SECTIONS 101 & 421). THIS LICENSE MUST BE PUBLICLY DISPLAYED REV 6/11	

Mailing Name <u>same</u>	Phone No. <u>same</u>
Mailing Address <u>same</u>	Zip Code <u>same</u>
Signature of Facility Owner <u>Joyce Wetzler President</u> Date <u>7/10/13</u>	
ZONING REVIEW	
APPROVAL / DISAPPROVAL <u>Prior Approval</u> (Circle one)	<u>7/25/13</u> (Date Signed)
If disapproved, state reason(s) _____	
ANIMAL CONTROL REVIEW	
APPROVAL / DISAPPROVAL <u>DP</u> (Circle one)	<u>08.05.13</u> <u>DP</u> (Date Signed)
If disapproved, state reason(s) _____	
OFFICE USE ONLY	
Date Received <u>7/23/13</u>	Cash Receipt Date <u>7/25/13</u> Cash Receipt No. <u>B133860</u> License No. <u>136-C</u>
Fee: \$25.00 \$125.00 \$190.00 <u>\$375.00</u>	Late Penalty Fee (Renewals rec'd after July 31): \$43.75 \$218.75 \$332.50 \$656.25
Date Issued <u>8-13-13</u>	Data Entered <u>2/25/14</u> Initials <u>HS</u>

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 049-C
FEDERAL PERMIT NO. _____
STATE PERMIT NO. _____

VALID JULY 1, 2011 THROUGH JUNE 30, 2012
EXPIRATION DATE _____
EXPIRATION DATE _____

MAILING INFORMATION TAIL END KENNEL 6225 GLEN FALLS ROAD REISTERSTOWN MD 21136	FACILITY/OWNER INFORMATION TAIL END KENNEL JOYCE T. WETZLER
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u> AVERAGE NO. OF ANIMALS AT THIS FACILITY <u>30</u> TYPE OF ANIMALS <u>CATS AND DOGS</u>	
WILD ANIMAL INFORMATION	
COMMON NAME _____ ZOOLOGICAL NAME _____ PURPOSE FOR KEEPING WILD ANIMAL _____ IN CASE OF EMERGENCY NOTIFY: NAME _____ TELEPHONE _____ ADDRESS _____ ZIP CODE _____	
DIRECTOR, PERMITS, APPROVALS AND INSPECTIONS _____ JULY 27, 2011 DATE ISSUED THIS LICENSE IS ISSUED WITH THE APPROVAL OF BALTIMORE COUNTY DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL IN ACCORDANCE WITH THE BALTIMORE COUNTY CODE, ARTICLE 12, TITLE 6, SECTIONS 12-6-101 THROUGH 12-6-105 AND BALTIMORE COUNTY ZONING REGULATIONS (BCZR SECTIONS 101 & 421). THIS LICENSE MUST BE PUBLICLY DISPLAYED REV 6/11	

Federal Permit No. _____	Exp. Date <u>1/1/11</u>	State Permit No. _____	Exp. Date <u>1/1/11</u>
(If applicable) (If applicable)			
Signature of Facility Owner <u>J. W. KRAMER, 1046 Joyce T. Wetzler</u> Date <u>5/18/11</u>			
Zoning Review (410-887-3630)			
APPROVAL / DISAPPROVAL _____ (Reviewer's Signature) _____ (Date Signed) _____ If disapproved, state reason(s) _____			
Animal Control Review (410-887-5961)			
APPROVAL / DISAPPROVAL <u>C. Chugan</u> (Reviewer's Signature) _____ (Date Signed) <u>6-14-11</u> If disapproved, state reason(s) _____			
Office Use Only			
License No. <u>049-C</u>	Date Received <u>5/23/11</u>	Circle Amount Paid	
Cash Receipt Date <u>6/9/11</u>	Cash Receipt No. <u>B126706</u>	Regular Fee	Penalty Fee
Date Issued _____	Data Entered <u>3-23-12</u>	\$ 25.00	\$ 43.75
Initials <u>ML</u>		\$125.00	\$218.75
		\$190.00	\$332.50
		\$375.00	\$656.25

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 012-C

VALID JULY 1, 2010 THROUGH JUNE 30, 2011

FEDERAL PERMIT NO. _____

EXPIRATION DATE _____

STATE PERMIT NO. _____

EXPIRATION DATE _____

MAILING INFORMATION TAIL END KENNELS 6225 GLEN FALLS ROAD REISTERSTOWN, MD 21136	FACILITY/OWNER INFORMATION SAME
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u> AVERAGE NO. OF ANIMALS AT THIS FACILITY _____ TYPE OF ANIMALS <u>CATS AND DOGS</u>	
WILD ANIMAL INFORMATION	
COMMON NAME _____ ZOOLOGICAL NAME _____ PURPOSE FOR KEEPING WILD ANIMAL: _____ IN CASE OF EMERGENCY NOTIFY: NAME _____ TELEPHONE _____ ADDRESS _____ ZIP CODE _____	
APPROVAL <u>Charlotte Creason-Murrow</u> DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL SEPTEMBER 14, 2010 DIRECTOR, PERMITS AND DEVELOPMENT MANAGEMENT _____ DATE ISSUED _____ REV 4/01 THIS LICENSE MUST BE PUBLICLY DISPLAYED	

Federal Permit No. _____ (If applicable)	Exp. Date <u> / / </u>	State Permit No. _____ (If applicable)	Exp. Date <u> / / </u>
Signature of Facility Owner <u>[Signature] (VP)</u>		Date <u>5/23/10</u>	
Zoning Review (410-887-3391)			
APPROVAL / DISAPPROVAL _____ (Circle) (Reviewer's Signature) (Date Signed) If disapproved, state reason(s) _____			
Animal Control Review (410-887-5961)			
APPROVAL / DISAPPROVAL <u>[Signature]</u> <u>8-4-10 LFT</u> (Circle) (Reviewer's Signature) (Date Signed) If disapproved, state reason(s) _____			
Office Use Only			
License No. <u>012-C</u>	Date Received <u>6-1-10</u>	Circle Amount Paid	
Cash Receipt Date <u>6-9-10</u>	Cash Receipt No. <u>B123852</u>	Regular Fee	Penalty Fee
Date Issued _____	Data Entered <u>3/29/11</u>	\$ 20.00	\$ 35.00
	Initials <u>AS</u>	\$ 100.00	\$ 175.00
	REV 5/10	\$ 165.00	\$ 288.75
		\$ 330.00	\$ 577.50

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 109-C
FEDERAL PERMIT NO. _____
STATE PERMIT NO. _____

VALID JULY 1, 2009 THROUGH JUNE 30, 2010
EXPIRATION DATE _____
EXPIRATION DATE _____

MAILING INFORMATION TAIL END KENNELS 6225 GLEN FALLS RD REISTERSTOWN MD 21136	FACILITY/OWNER INFORMATION J.T. & R.A. WETZLER SAME
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u> AVERAGE NO. OF ANIMALS AT THIS FACILITY _____ TYPE OF ANIMALS <u>CATS & DOGS</u>	
WILD ANIMAL INFORMATION	
COMMON NAME _____ ZOOLOGICAL NAME _____ PURPOSE FOR KEEPING WILD ANIMAL: _____ IN CASE OF EMERGENCY NOTIFY: NAME _____ TELEPHONE _____ ADDRESS _____ ZIP CODE _____	
APPROVAL <u>Charlotte Creason-Murrow</u> DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL DIRECTOR, PERMITS AND DEVELOPMENT MANAGEMENT REV 4/01	
SEPTEMBER 8, 2009 DATE ISSUED	
THIS LICENSE MUST BE PUBLICLY DISPLAYED	

Federal Permit No. _____ (If applicable) Exp. Date ____/____/____ State Permit No. _____ (If applicable) Exp. Date ____/____/____

Signature of Facility Owner _____ Date _____

Zoning Review (410-887-3391)

APPROVAL / DISAPPROVAL _____ (Circle) _____ (Reviewer's Signature) _____ (Date Signed) _____

If disapproved, why? _____

Animal Control Review (410-887-5961)

APPROVAL / DISAPPROVAL Approval _____ (Circle) _____ (Reviewer's Signature) _____ (Date Signed) 8-26-09

If disapproved, why? _____

Office Use Only

License No. <u>109-C</u>	Date Received <u>7/29/09</u>	Cash Receipt No. <u>B 121365</u>	REV 5/06	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Fee: Regular</th> <th style="text-align: left;">Penalty Fee</th> </tr> <tr> <td>\$ 20.00</td> <td>\$ 35.00</td> </tr> <tr> <td>\$100.00</td> <td>\$175.00</td> </tr> <tr> <td>\$165.00</td> <td>\$288.75</td> </tr> <tr> <td><u>\$330.00</u></td> <td>\$577.50</td> </tr> </table>	Fee: Regular	Penalty Fee	\$ 20.00	\$ 35.00	\$100.00	\$175.00	\$165.00	\$288.75	<u>\$330.00</u>	\$577.50
Fee: Regular	Penalty Fee													
\$ 20.00	\$ 35.00													
\$100.00	\$175.00													
\$165.00	\$288.75													
<u>\$330.00</u>	\$577.50													
Cash Receipt Date <u>8/11/09</u>	Date Entered <u>8/2/09</u>	Initials <u>AB</u>												
Date Issued <u>9/8/09</u>														

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 125-C
FEDERAL PERMIT NO. _____
STATE PERMIT NO. _____

VALID JULY 1, 2008 THROUGH JUNE 30, 2009
EXPIRATION DATE _____
EXPIRATION DATE _____

MAILING INFORMATION		FACILITY/OWNER INFORMATION	
TAIL END KENNELS 6225 GLEN FALLS RD REISTERSTOWN MD 21136		J.W. KENNELS R A. WETZLER 6217 GLEN FALLS RD REISTERSTOWN MD 21136	
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u>		AVERAGE NO. OF ANIMALS AT THIS FACILITY <u>50</u>	
TYPE OF ANIMALS <u>CATS & DOGS</u>			
WILD ANIMAL INFORMATION			
COMMON NAME _____		ZOOLOGICAL NAME _____	
PURPOSE FOR KEEPING WILD ANIMAL: _____			
IN CASE OF EMERGENCY NOTIFY: NAME _____		TELEPHONE _____	
ADDRESS _____		ZIP CODE _____	
APPROVAL <u>Charlotte Creason-Murrow</u> _____ DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL <u>Matthew Kozlowski</u> DIRECTOR, PERMITS AND DEVELOPMENT MANAGEMENT NOVEMBER 3, 2008 DATE ISSUED			
REV 4/01		THIS LICENSE MUST BE PUBLICLY DISPLAYED	

HOLDING FACILITY/KENNEL/STABLE/WILD ANIMAL LICENSE

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE, ROOM 101
410-887-3630



BALTIMORE COUNTY LICENSE NO. 107-C
FEDERAL PERMIT NO. _____
STATE PERMIT NO. _____

VALID JULY 1, 2006 THROUGH JUNE 30, 2007
EXPIRATION DATE _____
EXPIRATION DATE _____

MAILING INFORMATION		FACILITY/OWNER INFORMATION	
TAIL END KENNELS 6225 GLEN FALLS RD REISTERSTOWN MD 21136		J.W. KENNELS INC SAME	
TYPE OF FACILITY <u>COMMERCIAL KENNEL</u>		AVERAGE NO. OF ANIMALS AT THIS FACILITY <u>40</u>	
TYPE OF ANIMALS <u>DOGS</u>			
WILD ANIMAL INFORMATION			
COMMON NAME _____		ZOOLOGICAL NAME _____	
PURPOSE FOR KEEPING WILD ANIMAL: _____			
IN CASE OF EMERGENCY NOTIFY: NAME _____		TELEPHONE _____	
ADDRESS _____		ZIP CODE _____	
APPROVAL <u>Charlotte Creason-Murrow</u> DEPARTMENT OF HEALTH, BUREAU OF ANIMAL CONTROL <u>Jeffrey Kotroco</u> DIRECTOR, PERMITS AND DEVELOPMENT MANAGEMENT SEPTEMBER 18, 2006 DATE ISSUED			
REV 4/01		THIS LICENSE MUST BE PUBLICLY DISPLAYED	

AFFIDAVIT OF GAIL WARNIEK

I, Gail Warniek, based upon my personal knowledge, and subject to the penalties of perjury, offer this Affidavit, and state as follows:

1. I am familiar with the property known as 6217 Glen Falls Road, located in Baltimore County, Maryland (the "Property").
2. There is an animal boarding facility in operation on the Property known as "Tail End Kennels".
3. For a period of approximately ten (10) years, between 1974 and 1985, I was an employee of Tail End Kennels.
4. Tail End Kennels has been in continuous operation on the Property since 1971. Since 1971, there have been no cessations in operation for a period of one (1) year or more.

[signature appears on following page]

gw *list*

I SOLEMNLY AFFIRM, under the penalties of perjury, that the contents of the foregoing Affidavit are true to the best of my knowledge, information and belief.

Dated: April 29, 2015

WITNESS:

Gail Warniek (SEAL)

ACKNOWLEDGEMENT

County of Chesterfield Commonwealth of Virginia
~~State of Maryland~~, to Wit:

I hereby certify that on this 29 day of April, 2015, before me, the undersigned, a Notary Public of the State and local jurisdiction aforesaid, personally appeared Gail Warniek, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.



Barbara Anne Ferrara
Notary Public
My Commission Expires: September 30, 2017

My Commission Expires September 30, 2017

AFFIDAVIT OF ROBERT KRASNIEWSKI

I, Robert Krasniewski, based upon my personal knowledge, and subject to the penalties of perjury, offer this Affidavit, and state as follows:

1. Allen M. Buckner and I purchased the property known as 6217 Glen Falls Road, located in Baltimore County, Maryland (the "Property") on June 6, 1985. On May 30, 1989, we sold the Property to Robert and Joyce Wetzler.

2. From the time that we purchased the Property through the date of this Affidavit, there has been an animal boarding facility in operation on the Property known as "Tail End Kennels".

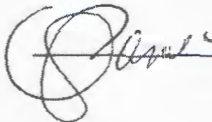
3. Tail End Kennels has been in continuous operation on the Property since 1971. In that period, there have been no cessations in operation for a period of one (1) year or more.

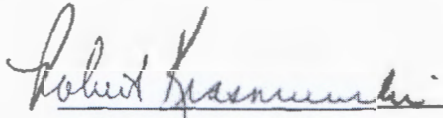
[signature appears on following page]

I SOLEMNLY AFFIRM, under the penalties of perjury, that the contents of the foregoing Affidavit are true to the best of my knowledge, information and belief.

Dated: April 24, 2015

WITNESS:

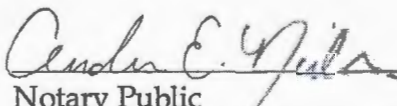
 _____

 (SEAL)
Robert Krasniewski

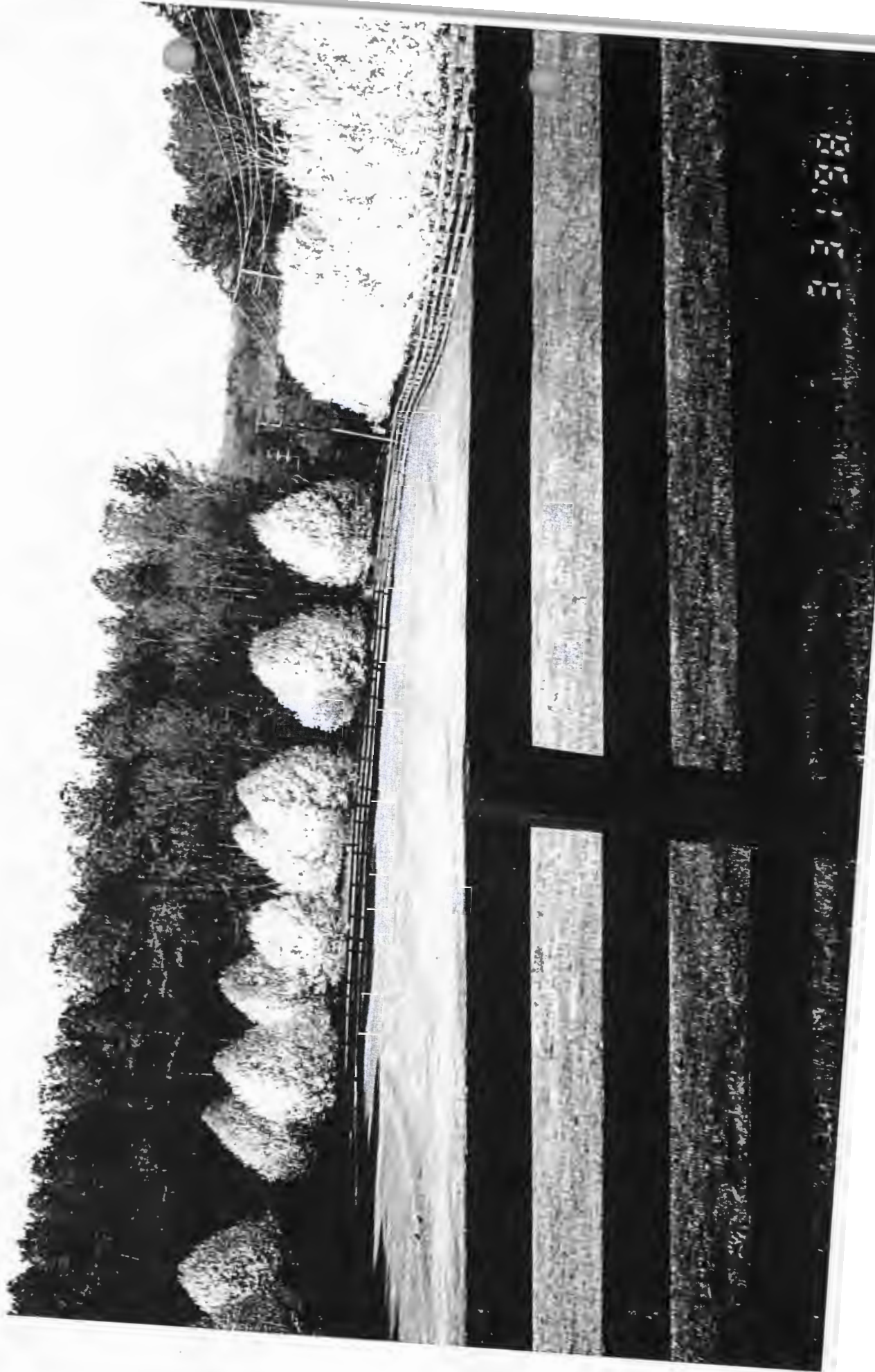
ACKNOWLEDGEMENT

County of Baltimore, State of Maryland, to Wit:

I hereby certify that on this 24th day of April, 2015, before me, the undersigned, a Notary Public of the State and local jurisdiction aforesaid, personally appeared Robert Krasniewski, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

 _____
Notary Public
My Commission Expires: ANDREA NIEBUHR
Notary Public State of Maryland
My Commission Expires February 27, 2018

Peterson No. 4



33198



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: December 4, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-116

INFORMATION:

Property Address: 6217, 6225 Glen Falls Road
Petitioner: Robert A. Wetzler, Joyce T. Wetzler
Zoning: RC 8
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a non-conforming animal boarding place.

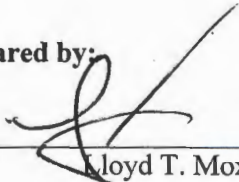
The Department has no objection to granting of the petitioned zoning relief conditioned upon the following:

- The existing trees situated between the existing kennel and Glen Falls Road remain undisturbed.
- The provisions of BCZR Section 104.3 notwithstanding, any relocation or expansion of the non-conforming use shall be subject to further review and approval by Baltimore County.

Be advised that the property is subject to a Deed of Conservancy Area Easement (L. 16944 F. 114) limiting commercial uses to existing buildings.

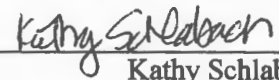
For further information concerning the matters stated herein, please contact Carmela Iacovelli at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Carmela Iacovelli
Adam Baker, Whiteford, Taylor & Preston, LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: 410-560-1502
Fax: 443-901-1208

Letter of Transmittal

TO: Baltimore County
Zoning Administrator

DATE	JOB No.
January 13, 2016	15112
ATTENTION:	
Mr. John Beverungen	
RE:	
6317 Glen Falls Road	

Attached Via: ☒ Hand Delivered ☐ Mail ☐ Overnight ☐ Fax

COPIES	DATE	NO.	DESCRIPTION
1	01-07-16		Revised Plan per Zoning Order

THESE ITEMS ARE TRANSMITTED AS CHECKED BELOW:

	For Your Use		For Approval		Revise and Resubmit
X	As Requested		NO EXCEPTIONS TAKEN		NOT ACCEPTABLE
	For Review And Comment		Comments Noted		Submittal Not Required/ No Action Taken

REMARKS:

RECEIVED

JAN 13 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Copy: Mike Snyder, Adam Baker

Signed:

Rick Richardson

John E. Beverungen

From: John E. Beverungen
Sent: Wednesday, January 27, 2016 12:45 PM
To: 'Baker, Adam D'
Cc: Debra Wiley; Sherry Nuffer; kls50@aol.com; Jeanette Tansey
Subject: RE: Case No. 2016-116-SPH

Mr. Baker, thanks for your email. I again reviewed the file, and noted that in its ZAC comment, DPR suggested that a landscape plan was required, showing both fencing and plantings. I did not include a condition requiring a landscape plan, since I know that can be expensive and time-consuming and may not be warranted in this case. Even so, I included condition #4, which leaves to the discretion of the County's landscape architect whether any plantings should be done at the site. This has been my routine practice for the last year or so in zoning cases, and I trust that you will be able to work with Ms. Tansey to reach an amicable resolution. The Order will be sent out today.

John Beverungen
ALJ

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

From: Baker, Adam D [mailto:ABaker@wtplaw.com]
Sent: Monday, January 25, 2016 9:00 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>; Sherry Nuffer <snyder@baltimorecountymd.gov>; kls50@aol.com
Subject: RE: Case No. 2016-116-SPH

Judge Beverungen,

I have forwarded the proposed Order to Mike Snyder, whom I have cc'd. I think it looks great, with the exception of the condition regarding landscaping (Condition 4). The Wetzlers are not proposing any new development at the property and the property, as evidenced by the photos submitted at the hearing, is already landscaped. To require further county oversight for landscaping will potentially impose additional expense (and time) on my client, when they are trying to market and sell their property. As a result, I respectfully request that Condition 4 be stricken. Thank you.

Adam D. Baker
Whiteford, Taylor & Preston, L.L.P.
8830 Stanford Boulevard, Suite 400 | Columbia, Maryland 21045
T: 410.832.2052 | F: 410.339.4028
abaker@wtplaw.com | Bio | vCard | www.wtplaw.com

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

From: John E. Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
Sent: Tuesday, January 19, 2016 11:39 AM
To: Baker, Adam D
Cc: Debra Wiley; Sherry Nuffer
Subject: Case No. 2016-116-SPH

Mr. Baker,

Debra Wiley

From: Baker, Adam D <ABaker@wtplaw.com>
Sent: Tuesday, January 12, 2016 11:48 PM
To: John E. Beverungen
Cc: Debra Wiley; Kathy Snyder
Subject: 2016-0116

Judge Beverungen,

All parties have approved the redline plan showing the nonconforming use boundaries which was prepared by Rick Richardson. Rick will be hand-delivering a full size original to you tomorrow. In addition, Mike Snyder has requested that both parties be permitted to review the Order before it is finalized. I do not have any objection to this request.

Adam D. Baker

Whiteford, Taylor & Preston, L.L.P.
8830 Stanford Boulevard, Suite 400 | Columbia, Maryland 21045
T: 410.832.2052 | F: 410.339.4028
abaker@wtplaw.com | [Bio](#) | [vCard](#) | www.wtplaw.com

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. 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 transmission in error, please notify the sender immediately.

John E. Beverungen

From: Baker, Adam D <ABaker@wtplaw.com>
Sent: Monday, January 25, 2016 9:00 AM
To: John E. Beverungen
Cc: Debra Wiley; Sherry Nuffer; kls50@aol.com
Subject: RE: Case No. 2016-116-SPH

Judge Beverungen,

I have forwarded the proposed Order to Mike Snyder, whom I have cc'd. I think it looks great, with the exception of the condition regarding landscaping (Condition 4). The Wetzlers are not proposing any new development at the property and the property, as evidenced by the photos submitted at the hearing, is already landscaped. To require further county oversight for landscaping will potentially impose additional expense (and time) on my client, when they are trying to market and sell their property. As a result, I respectfully request that Condition 4 be stricken. Thank you.

Adam D. Baker
Whiteford, Taylor & Preston, L.L.P.
8830 Stanford Boulevard, Suite 400 | Columbia, Maryland 21045
T: 410.832.2052 | F: 410.339.4028
abaker@wtplaw.com | Bio | vCard | www.wtplaw.com

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

From: John E. Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
Sent: Tuesday, January 19, 2016 11:39 AM
To: Baker, Adam D
Cc: Debra Wiley; Sherry Nuffer
Subject: Case No. 2016-116-SPH

Mr. Baker,

Attached is a copy of an unsigned order in the above case. You indicated Mr. Snyder wanted the opportunity to review the order prior to being finalized. Since I do not have his email address, can you please forward this email to him. Please let me know as soon as possible if either of you have questions or comments.

John Beverungen
ALJ

[http://www.baltimorecountymd.gov/sebin/n/n/county_seal.jpg]<<http://www.baltimorecountymd.gov>>

Connect with Baltimore County

[http://www.baltimorecountymd.gov/sebin/p/i/socialmedia_fb.jpg]<<https://www.facebook.com/Baltimorecounty>>
[http://www.baltimorecountymd.gov/sebin/r/j/socialmedia_twitter.jpg] <<https://twitter.com/BaltCoGov>>
[http://www.baltimorecountymd.gov/sebin/b/f/socialmedia_BC_NOW.jpg]
<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>>
[http://www.baltimorecountymd.gov/sebin/r/z/socialmedia_youtube.jpg]

CASE NAME Wetzel
CASE NUMBER 2016-0116-SM
DATE Jan 7, 2016

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>11/16</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>11/18</u>	DEPS (if not received, date e-mail sent _____)	<u>N/c</u>
_____	FIRE DEPARTMENT	_____
<u>12/4/15</u>	PLANNING (if not received, date e-mail sent _____)	<u>no obj w/ comment</u>
<u>11/12</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>12/17/15</u>	
SIGN POSTING	Date: <u>12/14/15</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

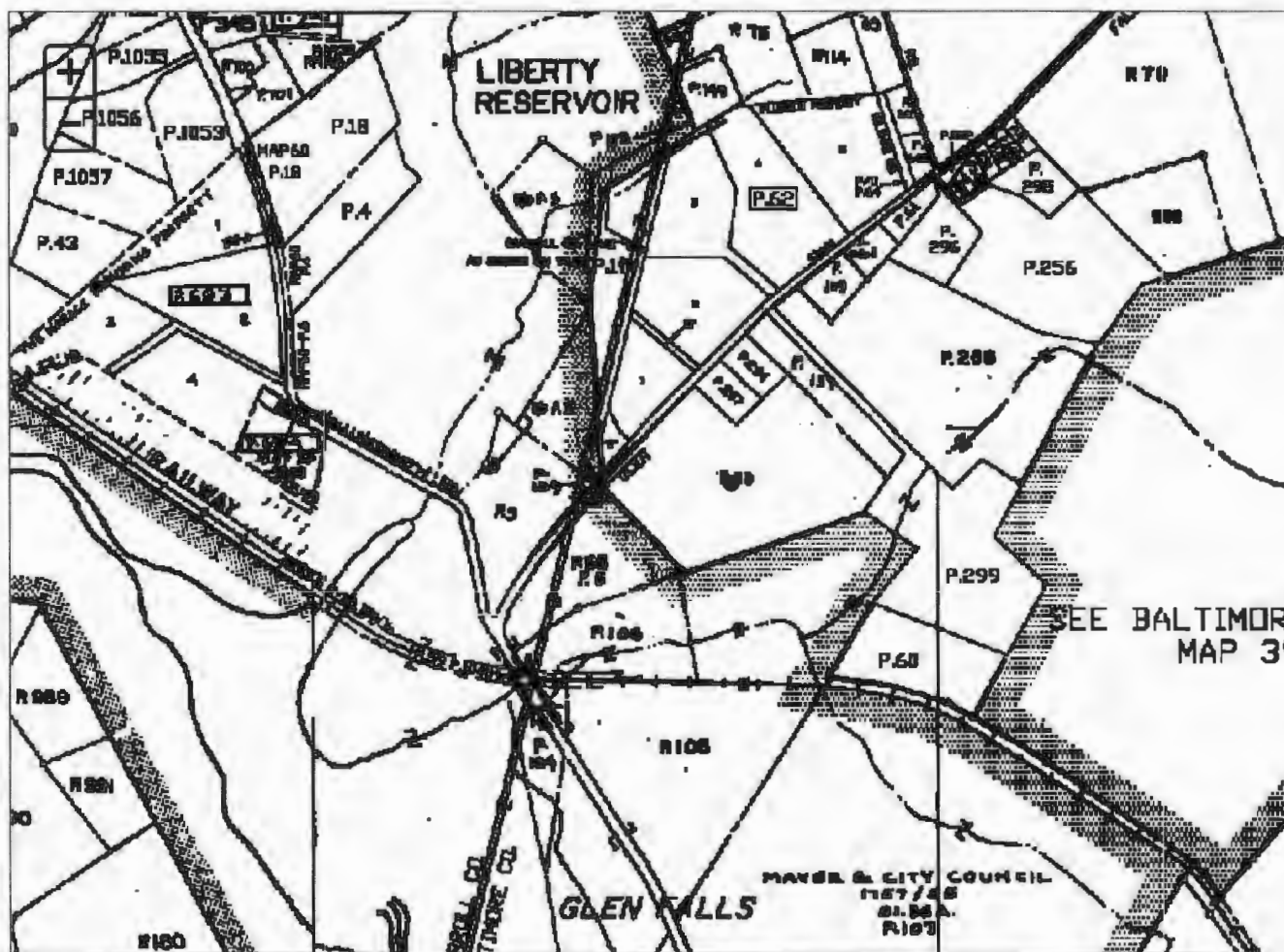
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption				View GroundRent Registration			
Account Identifier:				District - 04 Account Number - 0426020175							
Owner Information											
Owner Name:		WETZLER ROBERT A WETZLER JOYCE T				Use: Principal Residence:		AGRICULTURAL YES			
Mailing Address:		6217 GLEN FALLS RD REISTERSTOWN MD 21136-4517				Deed Reference:		/26657/ 00612			
Location & Structure Information											
Premises Address:		6217 GLEN FALLS RD 0-0000				Legal Description:		16.829AC 6217 GLEN FALLS RD 8165 FT W HANOVER PIKE			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	MS	
0039	0013	0059		0000			1	2016	Plat Ref:		
Special Tax Areas:						Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use		
1971		3,299 SF			600 SF		16.8300 AC		05		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
1	YES	STANDARD UNIT	SIDING	3 full/ 1 half							
Value Information											
			Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015 As of 07/01/2016						
Land:			115,100	115,100							
Improvements			568,700	562,700							
Total:			683,800	677,800	683,800		677,800				
Preferential Land:			1,600				1,600				
Transfer Information											
Seller: WETZLER ROBERT A Type: NON-ARMS LENGTH OTHER				Date: 02/11/2008 Deed1: /26657/ 00612				Price: \$0 Deed2:			
Seller: BUCKNER ALLEN M Type: ARMS LENGTH IMPROVED				Date: 06/22/1989 Deed1: /08206/ 00458				Price: \$370,000 Deed2:			
Seller: Type:				Date: Deed1:				Price: Deed2:			
Exemption Information											
Partial Exempt Assessments:		Class		07/01/2015				07/01/2016			
County:		000		0.00							
State:		000		0.00							
Municipal:		000		0.00 0.00				0.00 0.00			
Tax Exempt:		Special Tax Recapture:									
Exempt Class:		AGRICULTURAL TRANSFER TAX FCMA PENALTY									
Homestead Application Information											
Homestead Application Status: Approved 08/22/2012											

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **04** Account Number: **0426020175**

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

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

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



KEVIN KAMENETZ
County Executive

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

December 30, 2015

Robert A & Joyce T Wetzler
6217 Glen Falls Road
Reisterstown MD 21136-4517

RE: Case Number: 2016-0116 SPH, Address: 6217-6225 Glen Falls Road

Dear Mr. & Ms. Wetzler:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 11, 2015. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Adam Baker, Esquire, 8830 Stanford Boulevard, Suite 400, Columbia MD 21045

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 11/12/15

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

RE: Baltimore County
Item No. 2016-0116-SPH
Special Hearing
Robert A. & Joyce T. Wetzler
6227-6225 Glen Falls Road.

Dear Ms. Lewis:

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. 2016-0116-SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: December 4, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-116

DEC 11 2015

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 6217, 6225 Glen Falls Road
Petitioner: Robert A. Wetzler, Joyce T. Wetzler
Zoning: RC 8
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a non-conforming animal boarding place.

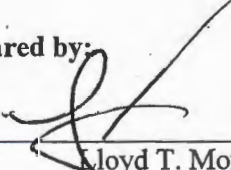
The Department has no objection to granting of the petitioned zoning relief conditioned upon the following:

- The existing trees situated between the existing kennel and Glen Falls Road remain undisturbed.
- The provisions of BCZR Section 104.3 notwithstanding, any relocation or expansion of the non-conforming use shall be subject to further review and approval by Baltimore County.

Be advised that the property is subject to a Deed of Conservancy Area Easement (L. 16944 F. 114) limiting commercial uses to existing buildings.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Carmela Iacovelli
Adam Baker, Whiteford, Taylor & Preston, LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

NOV 18 2015



OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 18, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0116-SPH
Address 6225-6227 Glen Falls Road
(Wetzler Property)

Zoning Advisory Committee Meeting of November 9, 2015.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 11-18-2015

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2015

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 9, 2015
Item No. 2016-0116

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Slade Run is a master-planned environmental greenway. Confirm whether the greenway affects this site.

A landscape plan showing security fencing and planting adjacent to neighboring residences shall be submitted for review.

* * * * *

DAK
cc:file

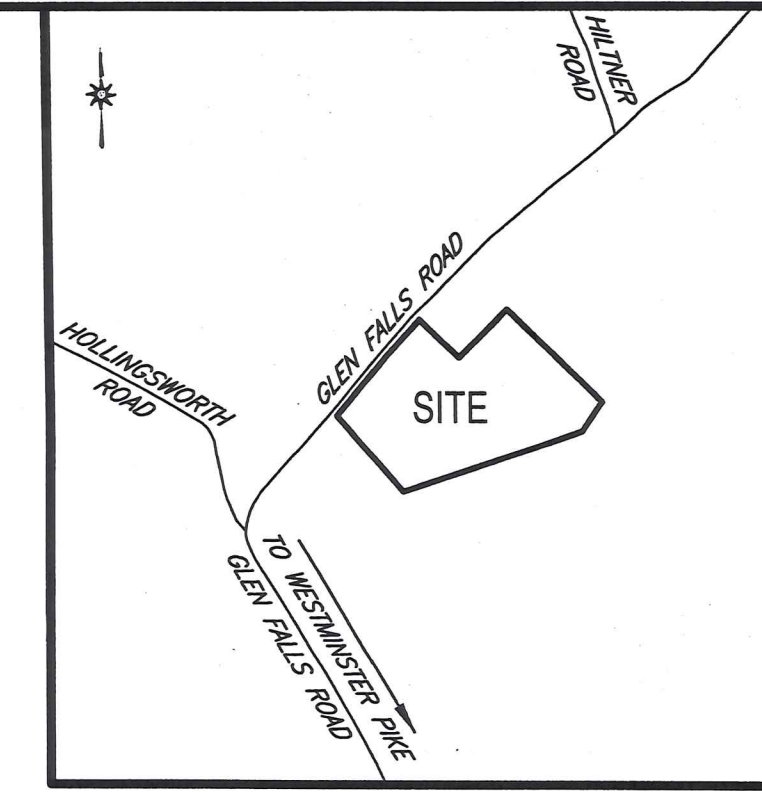
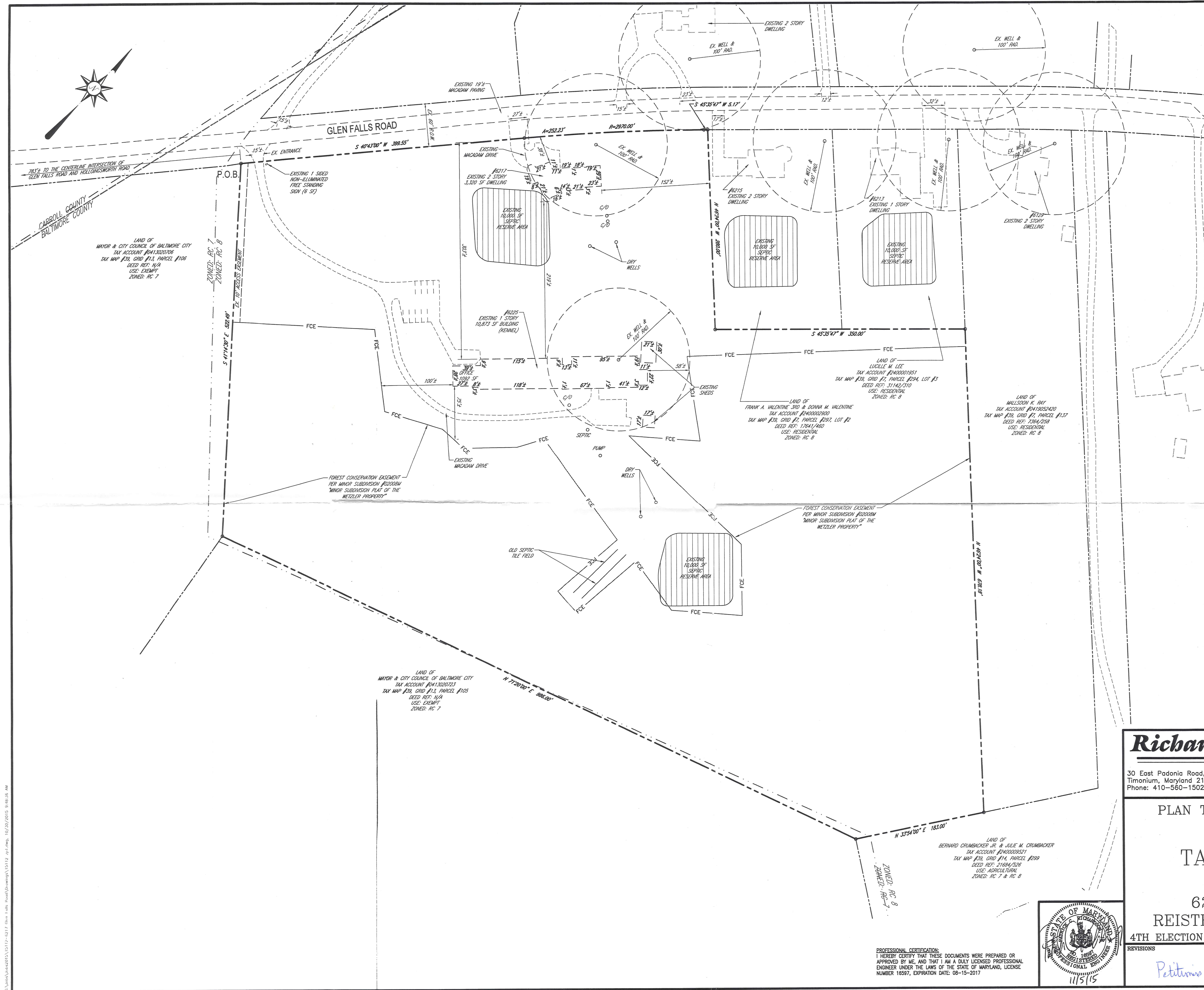
ZAC-ITEM NO 16-0116-110⁹2015.doc

039A2
4 ED

RC 7

2016-0116-SPH

NW 18-L



LOCATION MAP
1" = 1000'

GENERAL NOTES:

- OWNER: ROBERT A. & JOYCE T. WETZLER
6217 GLEN FALLS ROAD
REISTERSTOWN, MARYLAND 21136
- SITE AREA
GROSS: 753,191 SF or 17.29 Ac.±
NET: 733,523 SF or 16.84 Ac.±
- DEED REF: 26657/612
- TAX ACCOUNT: #0426020175
- COUNCILMANIC DISTRICT: 3RD
- TAX MAP #39, GRID #13, PARCEL #59, LOT #1
- MINOR SUBDIVISION: "WETZLER PROPERTY"
- ZONING: RC 8
(PER 1"=200' ZONING MAP 039A2)
- NO KNOWN PRIOR ZONING CASES ON FILE.
- NO KNOWN PRIOR PERMITS ON FILE.
- THE PROPERTY IS NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES
EXISTING: HOUSE & KENNEL
PROPOSED: HOUSE & KENNEL
- SITE SERVICED BY PRIVATE WELL AND SEPTIC SYSTEM.
- SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100205 F PANEL 205 OF 580 DATED SEPTEMBER 26, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- WATERSHED: LIBERTY RESERVOIR.
- PARKING REQUIRED: 1092 SF OFFICE@ 3.3/1000 SF = 4 SPACES
- PARKING PROVIDED: 8 SPACES
- SITE IS NOT WITHIN ANY FAILED BASIC SERVICE MAP AREAS

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

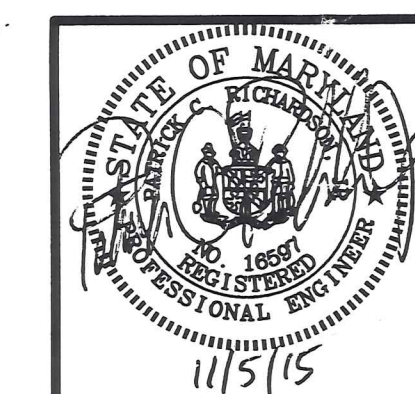
TAIL END KENNELS

6225 GLEN FALLS ROAD
REISTERSTOWN, MARYLAND 21136

4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

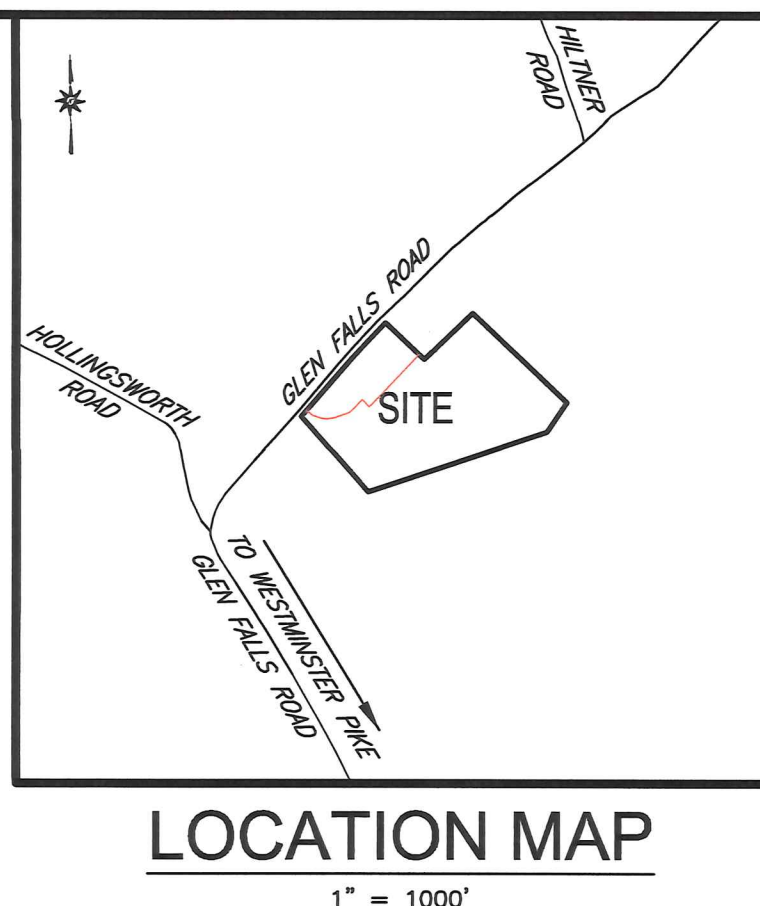
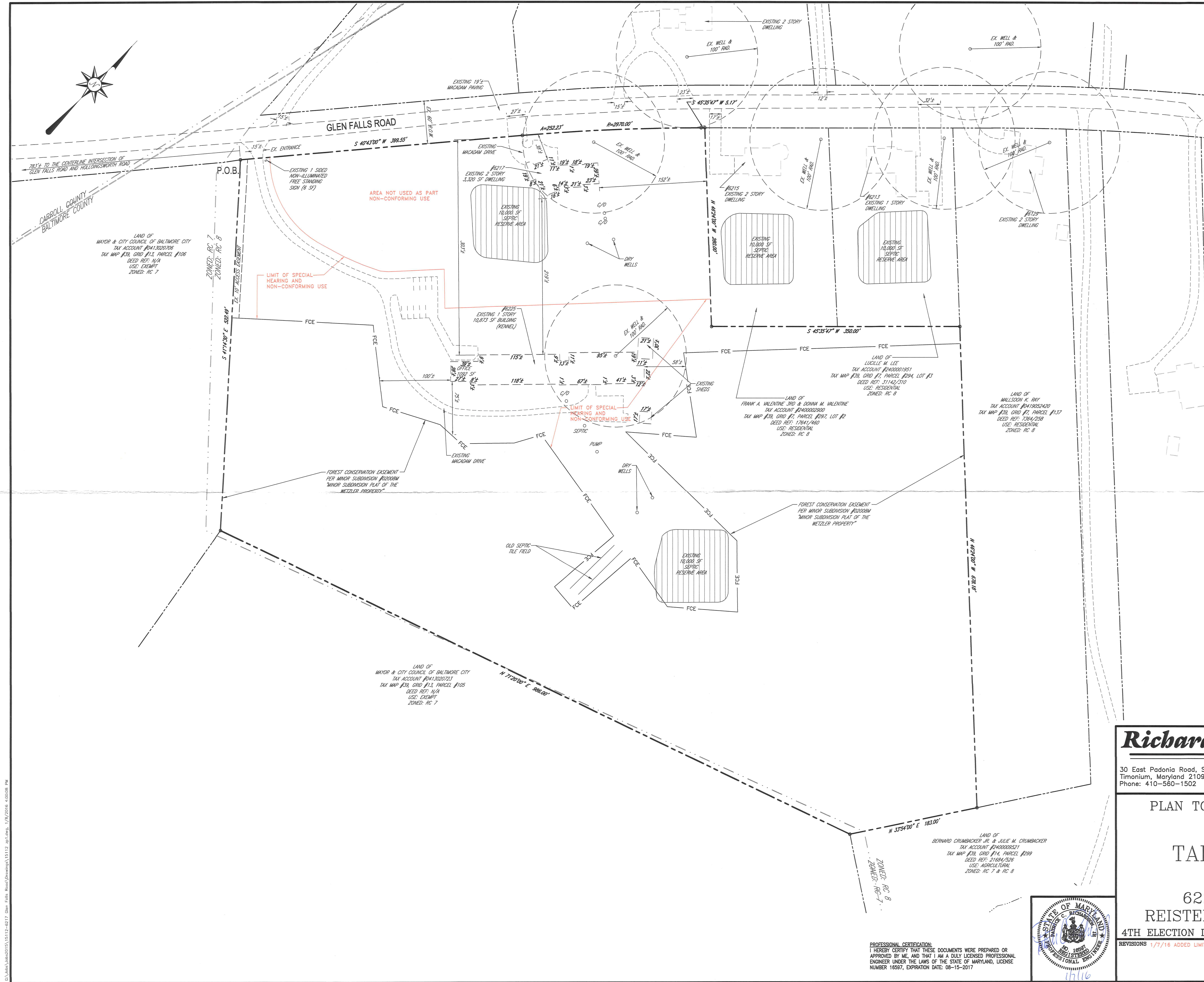
REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CND	PCR	1" = 60'
	DATE:	JOB NO.:	SHEET NO.:
	10-30-15	15112	1 OF 1

Petitioner No. 5



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I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
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NUMBER 16597, EXPIRATION DATE: 08-15-2017

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PLAN TO ACCOMPANY ZONING PETITION FOR

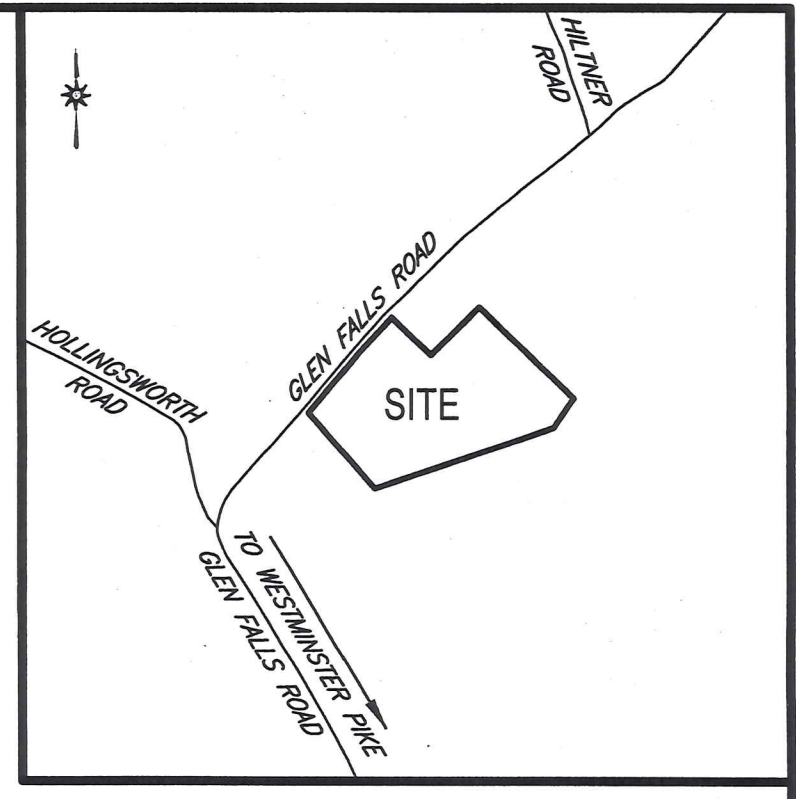
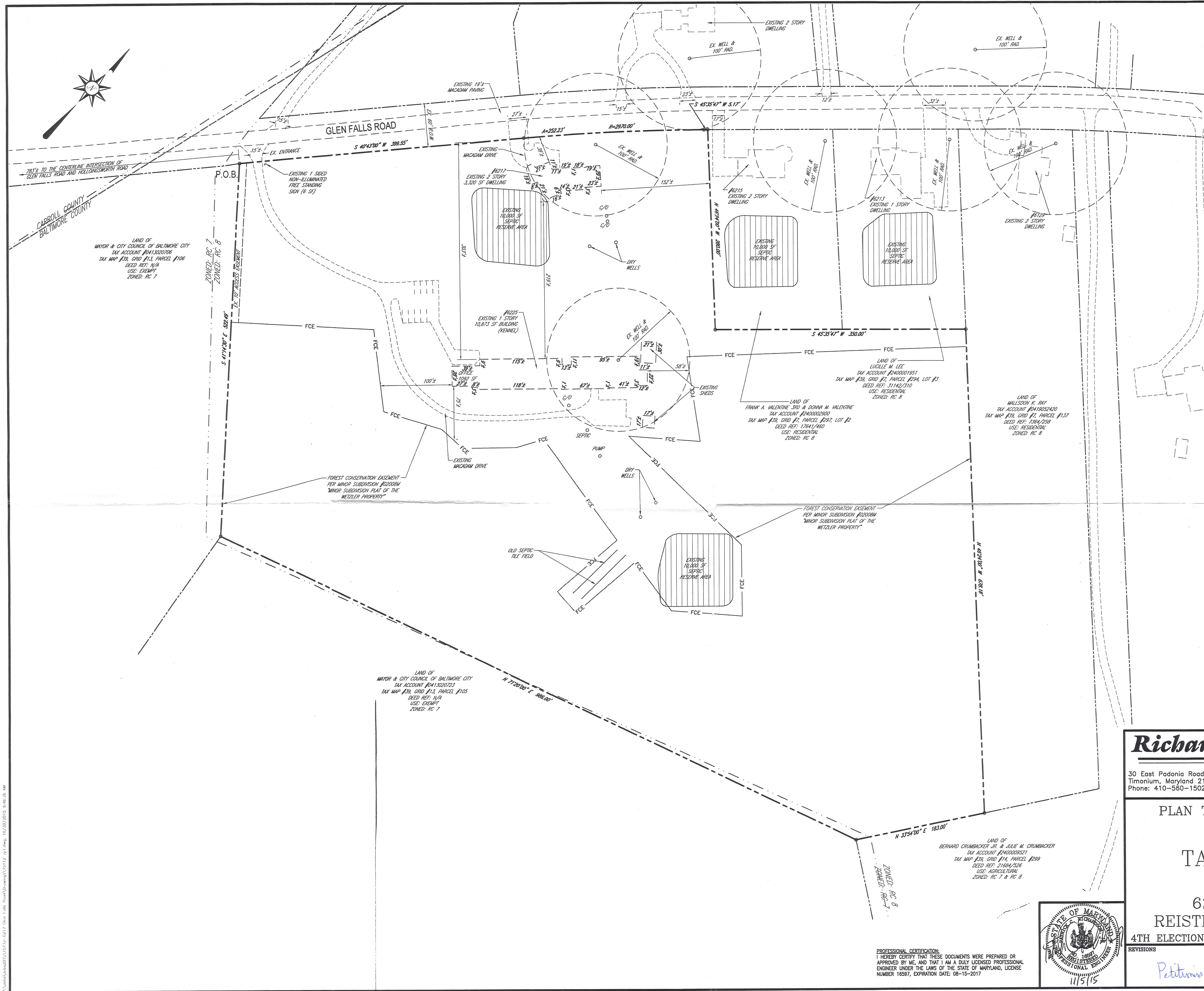
TAIL END KENNELS

6225 GLEN FALLS ROAD
REISTERSTOWN, MARYLAND 21136
4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS 1/7/16 ADDED LIMIT OF SPECIAL HEARING	DRAWN BY: CND	CHECKED BY: PCR	SCALE: 1" = 60'
	DATE: 10-30-15	JOB NO.: 15112	SHEET NO.: 1 OF 1

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NUMBER 16597, EXPIRATION DATE: 08-15-2017





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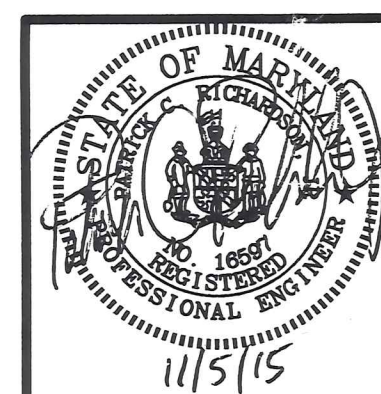
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TAIL END KENNELS

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4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS		DRAWN BY:	CHECKED BY:	SCALE:
		CND	PCR	1" = 80'
DATE:	10-30-15	JOB NO.:	15112	SHEET NO.:
		1 OF 1		



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