

MEMORANDUM

DATE: August 24, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0302-X – Appeal Period Expired

The appeal period for the above-referenced case expired on August 22, 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 EXCEPTION * BEFORE THE
(18301 Gunpowder Road) *
5th Election District * OFFICE OF
3rd Council District *
Jonathan R. Rathbone * ADMINISTRATIVE HEARINGS
Legal Owner *
Petitioner * FOR BALTIMORE COUNTY
* Case No. 2016-0302-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Exception filed on behalf of Jonathan R. Rathbone, legal owner. The Special Exception was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to permit a riding stable/boarding stable on an existing agricultural farm, per B.C.Z.R. §1A01.2.C.22; or (2) in the alternative, to permit an animal boarding place for the boarding of horses per §1A01.2.C.2.

Owners Jonathan and Heather Rathbone and surveyor Bruce E. Doak appeared in support of the petition. There were no protestants or interested citizens in attendance. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request but made a recommendation regarding signage at the property which will be included as a condition in the order below.

The subject property is approximately 35 acres and is split-zoned RC 2 & RC 8. The property is improved with a single family dwelling, garage and several barns and outbuildings. Ms. Rathbone is a horse enthusiast and she owns several horses she keeps on her property. She would like to operate on the property a business to board horses, facilitate the purchase and sale

ORDER RECEIVED FOR FILING

Date 7-21-16

By Sen

of horses and provide riding lessons. Ms. Rathbone explained she will not provide horse rentals, wherein customers would rent a horse and ride with a guide through trails on the property.

Under Maryland law "the appropriate standard to be used in determining whether a requested special exception use would have an adverse effect and, therefore, should be denied is whether there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." Schultz v. Pritts, 291 Md. 1, 22-23 (1981). In this case, no evidence was presented which would suggest the use would have a detrimental impact upon the community. In fact, agricultural and equestrian uses are particularly appropriate on large rural sites such as the subject property.

THEREFORE, IT IS ORDERED this 21st day of **July, 2016** by this Administrative Law Judge, that the Petition for Special Exception to permit a riding stable/boarding stable on an existing agricultural farm, per B.C.Z.R. §1A01.2.C.22 , be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Any signage on the property must comply with B.C.Z.R. §450 and shall not be illuminated.
3. No horse rentals shall be permitted on the property.

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Date 7-21-16

By Sen

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 7-21-16

By sln



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 18301 GUNPOWDER ROAD which is presently zoned RC2 & RCB
Deed References: SM 10746/693 10 Digit Tax Account # 0502000225
Property Owner(s) Printed Name(s) JONATHAN R. RATHBONE

(SELECT THE HEARING(S) BY MARKING ☒ 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

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

SEE ATTACHED PAGE

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)

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

JONATHAN R. RATHBONE

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

18301 GUNPOWDER ROAD HAMSTEAD MD

Mailing Address City State

21074 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING

Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREEHOLD MD

Mailing Address City State

21053 / 410-419-4906 /

Zip Code Telephone # Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

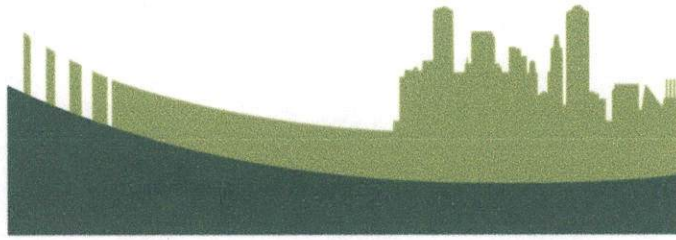
CASE NUMBER 2016-0302-X Filing Date 5/31/16

Do Not Schedule Dates: Reviewer JW

ORDER RECEIVED FOR FILING

Date 7-21-16

By Sen



Special Exception to permit a riding stable / boarding stable on an existing agricultural farm, as a riding stable is defined in section 101.1 (BCZR), per section 1A01.2.C.22 (BCZR)

In the alternative:

Special Exception to permit an animal boarding place for the boarding of horses per section 1A01.2.C.2 (BCZR).

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2016-0302-X

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

18301 Gunpowder Road- 35.36 Acres
Fifth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the northeast side of Gunpowder Road, at the intersection of Gunpowder Road and Georges Creek Road, thence running in the center of Gunpowder Road and binding on the outlines of the subject property, the following course and distance, viz.

1) Northwesterly 790 feet+-, thence leaving Gunpowder Road and binding on the outlines of the subject property, the thirteen following courses and distances, viz.

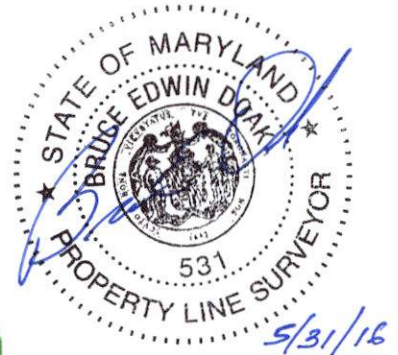
- 2) Northeasterly 93.10 feet,
- 3) Northeasterly 448.99 feet,
- 4) Northeasterly 327.07 feet,
- 5) Northeasterly 98.55 feet,
- 6) Northeasterly 629.99 feet,
- 7) South 33 degrees 07 minutes 10 seconds East 796.46 feet,
- 8) South 61 degrees 37 minutes 00 seconds East 305.54 feet,
- 9) South 36 degrees 04 minutes 10 seconds West 688.09 feet,
- 10) South 30 degrees 08 minutes 50 seconds West 214.27 feet,
- 11) North 66 degrees 38 minutes 40 seconds West 146.68 feet,
- 12) South 27 degrees 36 minutes 40 seconds West 15.01 feet,
- 13) North 73 degrees 58 minutes 09 seconds West 470.63 feet, and
- 14) South 32 degrees 08 minutes 40 seconds West 75.82 feet to the point of beginning.

Containing 35.36 acres of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor



2016-0302-X



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 4264930

Sold To:

Jonathan Rathbone - CU00545262
18301 Gunpowder Rd
Hampstead, MD 21074-2901

Bill To:

Jonathan Rathbone - CU00545262
18301 Gunpowder Rd
Hampstead, MD 21074-2901

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

Jun 23, 2016

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

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: # 2016-0302-X
18301 Gunpowder Road
NE/s Gunpowder Road at NE corner of Georges Creek Road
5th Election District - 3rd Councilmanic District
Legal Owner(s): Jonathan Rathbone

Special Exception: to permit a riding stable/boarding stable on an existing agricultural farm, as a riding stable is defined in Section 101.1 BCZR per Section 1A01.2.C.22 BCZR. in the alternative, to permit an animal boarding place for the boarding of horses.

Hearing: Friday, July 15, 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.

6/208 June 23 4264930

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

June 22, 2016

Re:

Zoning Case No. 2016-0302-X

Petitioner: Jonathon Rathbone

Hearing date: July 15, 2016

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

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 **18301 Gunpowder Road**.

The sign was posted on June 22, 2016.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2016-0302-X

18301 Gunpowder Road

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Friday July 15, 2016 11:00 AM

REQUEST:

**SPECIAL EXCEPTION TO PERMIT A RIDING STABLE ON AN
EXISTING FARM, AS A RIDING STABLE IS DEFINED IN SECTION
101.1 BCZR PER SECTION 1A01.2.C.22 BCZR. IN THE
ALTERNATIVE, TO PERMIT AN ANIMAL BOARDING PLACE FOR
THE BOARDING OF HORSES.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2016-0302-X

18301 Gunpowder Road
A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday July 15, 2016 11:00 AM

REQUEST:
SPECIAL EXCEPTION TO PERMIT A RIDING STABLE ON AN
EXISTING FARM, AS A RIDING STABLE IS DEFINED IN SECTION
104.1 BCZM PER SECTION 1A01.2.C.22 BCZM, IN THE
ALTERNATIVE, TO PERMIT AN ANIMAL BOARDING PLACE FOR
THE BOARDING OF HORSES.

POSTPONENTS ONE TO WITHIN THE HEARING CALL 410-867-2271
NECESSARY TO COMPLAIN THE HEARING CALL 410-867-2271
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW
THE HEARING IS HANDICAPPED ACCESSIBLE

18301



KEVIN KAMENETZ
County Executive

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

June 15, 2016

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: 2016-0302-X

18301 Gunpowder Road
NE/s Gunpowder Road at NE corner of Georges Creek Road
5th Election District – 3rd Councilmanic District
Legal Owners: Jonathan Rathbone

Special Exception to permit a riding stable/boarding stable on an existing agricultural farm, as a riding stable is defined in Section 101.1 BCZR per Section 1A01.2.C.22 BCZR. In the alternative, to permit an animal boarding place for the boarding of horses.

Hearing: Friday, July 15, 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: Jonathan Rathbone, 18301 Gunpowder Road, Hampstead 21074
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 25, 2016**
- (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, June 23, 2016 Issue - Jeffersonian

Please forward billing to:
Jonathan Rathbone
18301 Gunpowder Road
Hampstead, MD 21074

443-506-1884

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:

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Hearing: Friday, July 15, 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 EXCEPTION * BEFORE THE OFFICE
 18301 Gunpowder Road; NE/S Gunpowder *
 Road, NE corner Georges Creek Road * OF ADMINISTRATIVE
 5th Election & 3rd Councilmanic Districts *
 Legal Owner(s): Jonathan R. Rathbone * HEARINGS FOR
 Petitioner(s) * BALTIMORE COUNTY
 * 2016-302-X

* * * * *

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
JUN 14 2016

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 14th day of June, 2016, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2016-0302-X

Property Address: 18301 GUNPOWDER RD HAMPSHIRE MD 21074

Property Description: 35.36 ACRES BEGINNING AT A POINT N/W ON GUNPOWDER RD
WITH 20' RIGHT OF WAY AND 100' S/E OF NEARBY
INTERSECTION RD: GEORGE'S CREEK WITH 20' RIGHT OF WAY

Legal Owners (Petitioners): JONATHAN RATHBONE

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JONATHAN RATHBONE

Company/Firm (if applicable): HIDDEN RIDGE FARM

Address: 18301 GUNPOWDER RD
HAMPSHIRE MD 21074

Telephone Number: 443-506-1884

Revised 5/20/2014

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

No. **139287**

Date: **5/31/16**

PAID RECEIPT

BUSINESS ACTUAL TIME BUD
 5/01/2016 5/31/2016 07:47:53 1

MS01 WALSH LLC
 RECEIPT # 455713 BAL COIN BFL

01st 5 520 00000 VERIFICATION
 CR NO. 139287

Recpt tot 175.00
 175.00 CR 1.00 Cr
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0006		6150				75.00

Total: **75.00**

Rec From: **Bruce Doak DBA**

For: **Ratbone**

18301 Gunpowder RD

2016-0302-X

CHECK # 1624

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

July 6, 2016

Jonathan R Rathbone
18301 Gunpowder Road
Hampstead MD 21074

RE: Case Number: 2016-0302 X, Address: 18301 Gunpowder Road

Dear Mr. Rathbone:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 31, 2016. 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: jaw

Enclosures

c: People's Counsel
Bruce E Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



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

Date: 6/13/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0302-X.

*Special Exception
Jonathan R. Rathbone
18301 Gunpowder Road.*

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 "Wendy Wolcott".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: June 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-302

RECEIVED

JUN 29 2016

INFORMATION:

Property Address: 18301 Gunpowder Road
Petitioner: Jonathan R. Rathbone
Zoning: RC 2, RC 8
Requested Action: Special Exception

OFFICE OF ADMINISTRATIVE HEARINGS

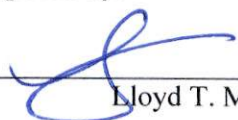
The Department of Planning has reviewed the petition for a special exception to use the property for a riding stable / boarding stable on an existing agricultural farm, as a riding stable is defined in the BCZR.

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

- Gunpowder Road is a Baltimore County Scenic Route. Signage shall be limited to a single sign meeting the requirements of BCZR § 450.4.5(l) but that it shall not be illuminated.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Joseph Wiley
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED

JUN 22 2016

BALTIMORE COUNTY, MARYLAND

OFFICE OF ADMINISTRATIVE HEARINGS

Inter-Office Correspondence



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: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0302-X
Address 18301 Gunpowder Road
(Rathbone Property)

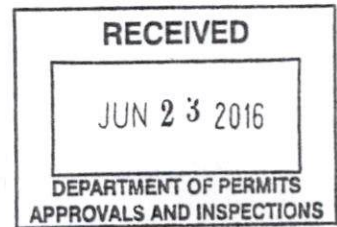
Zoning Advisory Committee Meeting of **June 13, 2016.**

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

Reviewer: Steve Ford

Date: 06-22-2016

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

DATE: June 15, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2016
Item No. 2016-0283, 0284, 0298, 0300, 0301, 0302, 0303, 0304, 0306,
0309 and 0310

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC06132016.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0302-X
Address 18301 Gunpowder Road
(Rathbone Property)

Zoning Advisory Committee Meeting of **June 13, 2016.**

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

Reviewer: Steve Ford

Date: 06-22-2016

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**



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

DATE: June 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-302

INFORMATION:

Property Address: 18301 Gunpowder Road
Petitioner: Jonathan R. Rathbone
Zoning: RC 2, RC 8
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a riding stable / boarding stable on an existing agricultural farm, as a riding stable is defined in the BCZR.

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

- Gunpowder Road is a Baltimore County Scenic Route. Signage shall be limited to a single sign meeting the requirements of BCZR § 450.4.5(l) but that it shall not be illuminated.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Joseph Wiley
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME RATHBONE
CASE NUMBER 2016-0302-X
DATE 7/15/16

[illegible]

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

6/15

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

6/22

DEPS
(if not received, date e-mail sent _____)

N/C

6/28

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

C

6/13

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 6/23/16

SIGN POSTING Date: 6/22/16 by DOAK

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

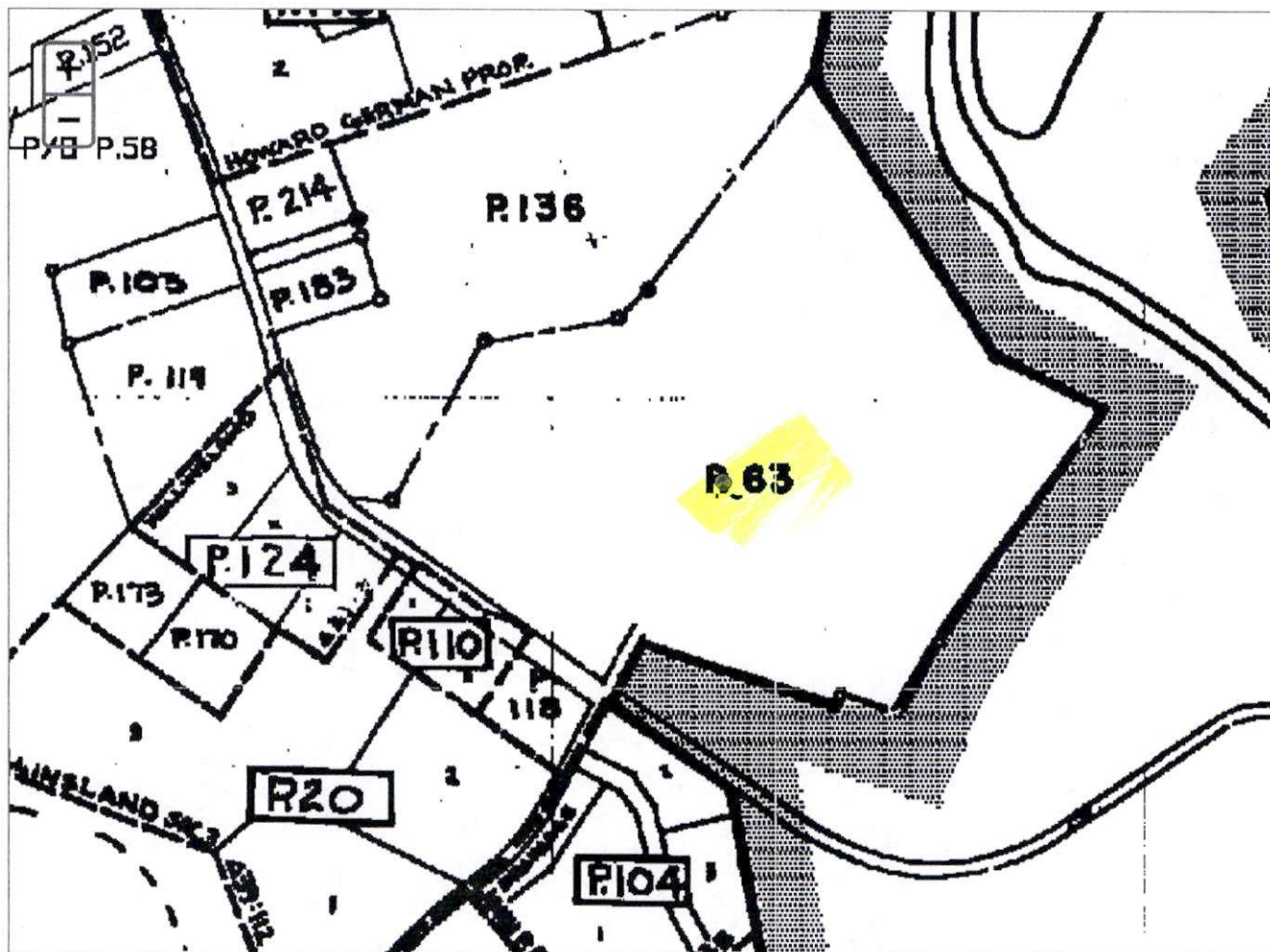
Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 05 Account Number - 0502000225			
Owner Information					
Owner Name:		RATHBONE JONATHAN R		Use:	AGRICULTURAL
Mailing Address:		18301 GUNPOWDER RD HAMPSTEAD MD 21074-		Principal Residence:	YES
				Deed Reference:	/10746/ 00693
Location & Structure Information					
Premises Address:		18301 GUNPOWDER RD HAMPSTEAD 21074-		Legal Description:	35.36 AC ES 18301 GUNPOWDER RD 4800 NE FALLS RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0015	0015	0063		0000	2014
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
2000	6,054 SF		35.3600 AC	05	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	SIDING	3 full/ 1 half	1 Attached 2012
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2014	07/01/2015	07/01/2016
Land:		151,200	137,200		
Improvements		473,600	456,600		
Total:		624,800	593,800	593,800	593,800
Preferential Land:		8,700			9,000
Transfer Information					
Seller: BAUBLITZ CHARLES F P		Date: 09/12/1994		Price: \$171,000	
Type: ARMS LENGTH IMPROVED		Deed1: /10746/ 00693		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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			
Homestead Application Information					
Homestead Application Status: Approved 04/17/2012					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **05** Account Number: **0502000225**

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>).

Case No.:

2016-0302-X

Exhibit Sheet

Petitioner/Developer

8-24-16

Protestant

slu
7-21-16

No. 1	site plan	
No. 2	My Neighborhood Aerial	
No. 3	3A-3K Plan and accompanying photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate and does not warrant any particular use of or reliance upon this data.

PETITIONER'S

EXHIBIT NO. 2

Printed 2/28/16















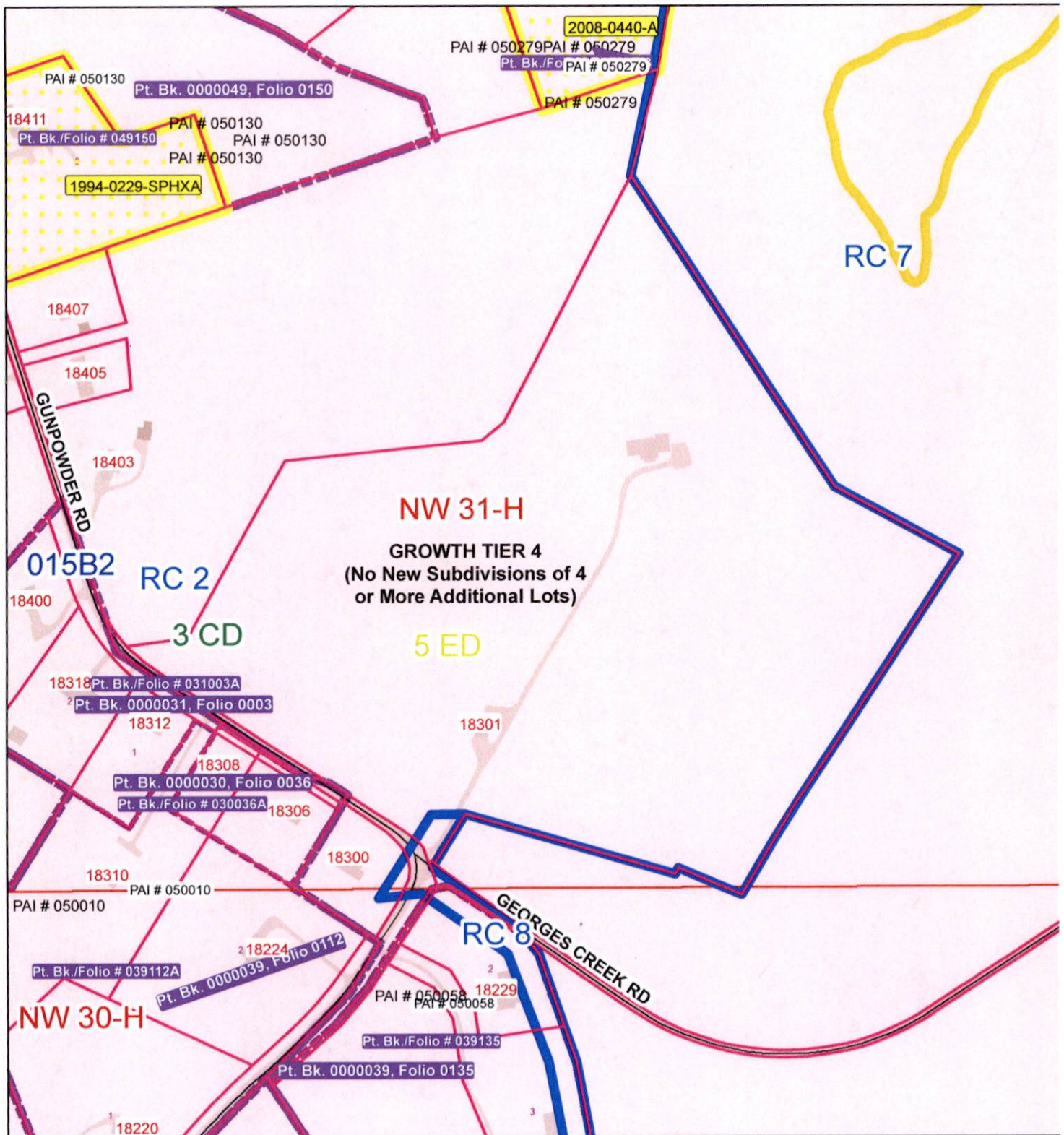








18301 Gunpowder Road 2016-0302-X



Publication Date: 5/31/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 80 160 320 480 640 Feet

1 inch = 300 feet

GENERAL SITE INFORMATION

1. Ownership: Jonathan R. Rathbone
18301 Gunpowder Road Hampstead, MD 21074
2. Address: 18301 Gunpowder Road Hampstead, MD 21074
3. Deed references: SM 10746/693
4. Area: 35.36 acres (per SDAT)
5. Tax Map / Parcel / Tax account #: 15 / 63 / 05-02-000225
6. Election District: 5 Councilmanic District: 3
ADC Map: 423406 GIS tile: 01582
Position sheets: 120NW31, 121NW31, 122NW31 & 121NW32
Census tract: 405000 Census block: 240054050001002
Schools: Fifth District ES Hereford HS Hereford HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS titles 01582 and the information provided by Baltimore County on the Internet.
8. Improvements: Two single family dwellings, barns & riding arena. All improvements will remain.

OFFICE OF ZONING

Zoning: R.C. 2 & R. C. 8 There are no previous zoning cases on the subject parcels.

R.C. 2 Setbacks

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from all property lines

ENVIRONMENTAL IMPACT

Watershed: Prettyboy Reservoir URDL land type: 1

1. The existing dwellings are currently serviced by private wells and septic systems.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

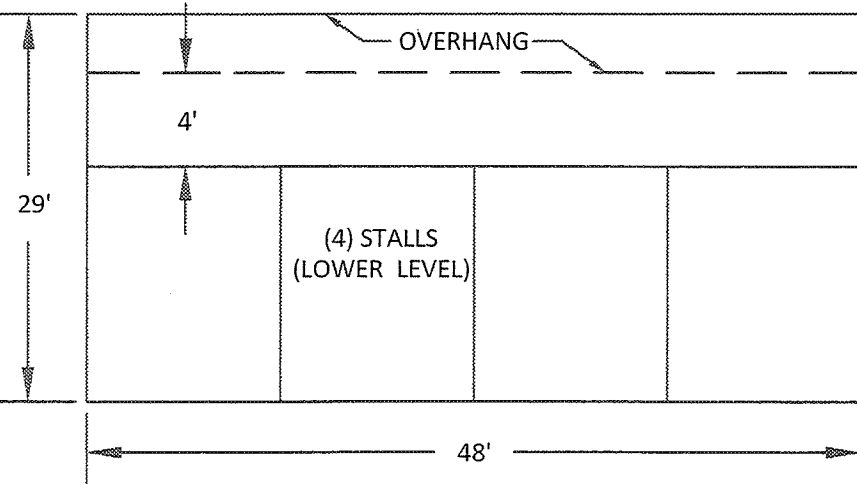
Regional Planning District: Prettyboy District Code: 302

1. The subject dwelling is not historic. The subject property is not in a historic district.

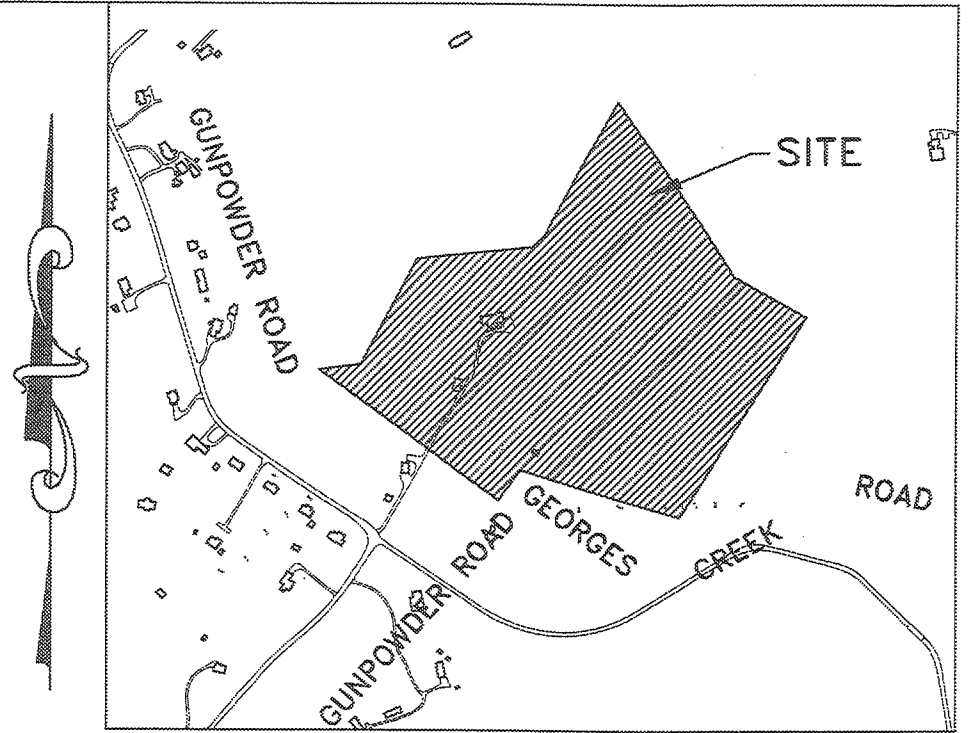
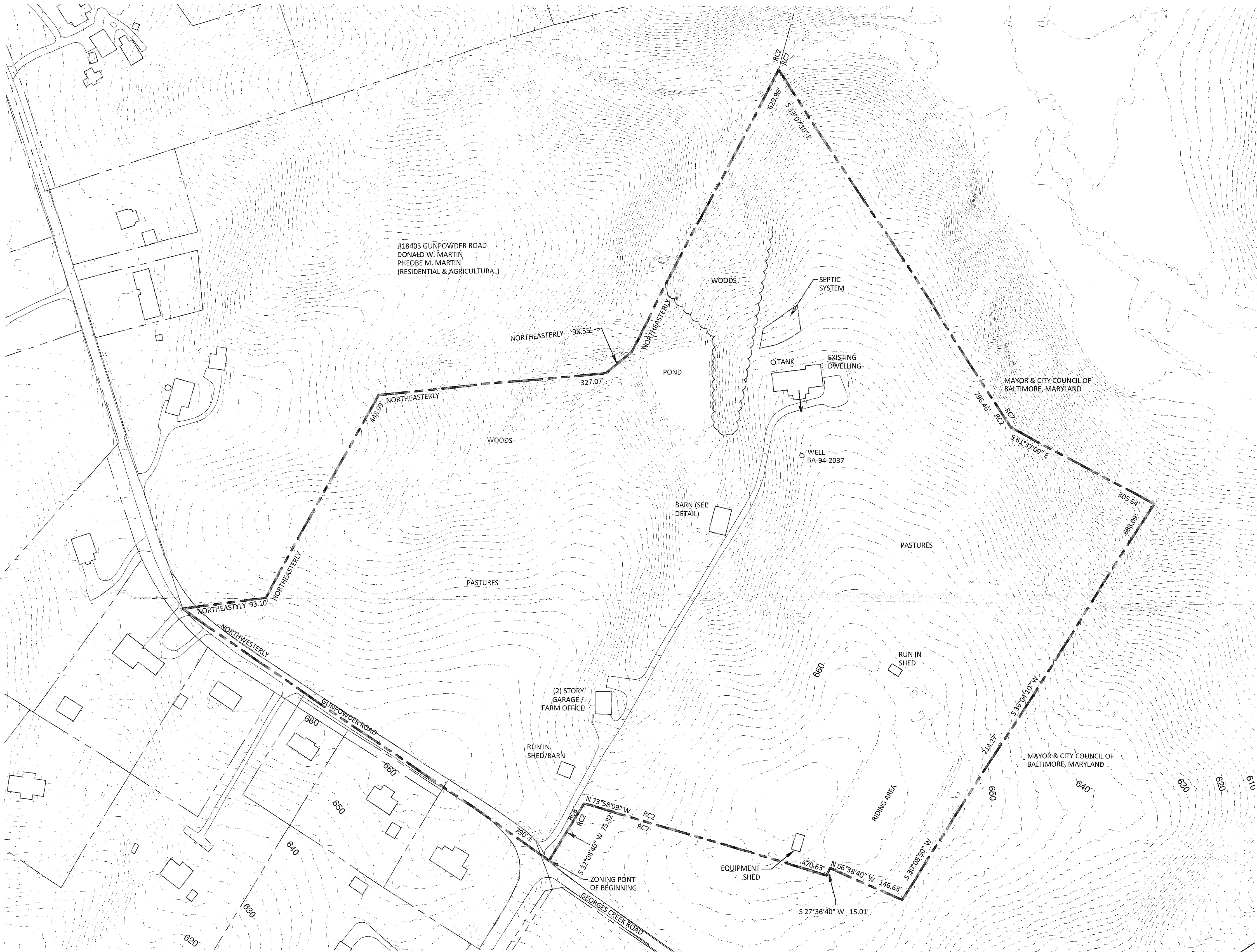
PROPOSED USE

To board horses on the subject property which are owned by others

Note: The pastures and paddocks are not shown



BARN DETAIL - N.T.S.



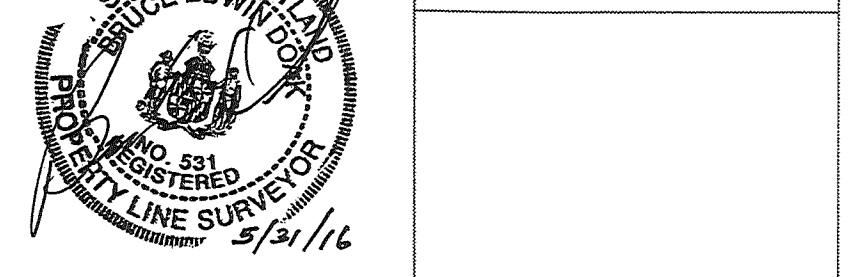
Vicinity Map - Scale: 1" = 800'
ADC The Map People - Permitted Use # 20612205

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3601 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@brucedoakconsulting.com

A PLAN TO ACCOMPANY
A ZONING PETITION
FOR
18301 GUNPOWDER ROAD

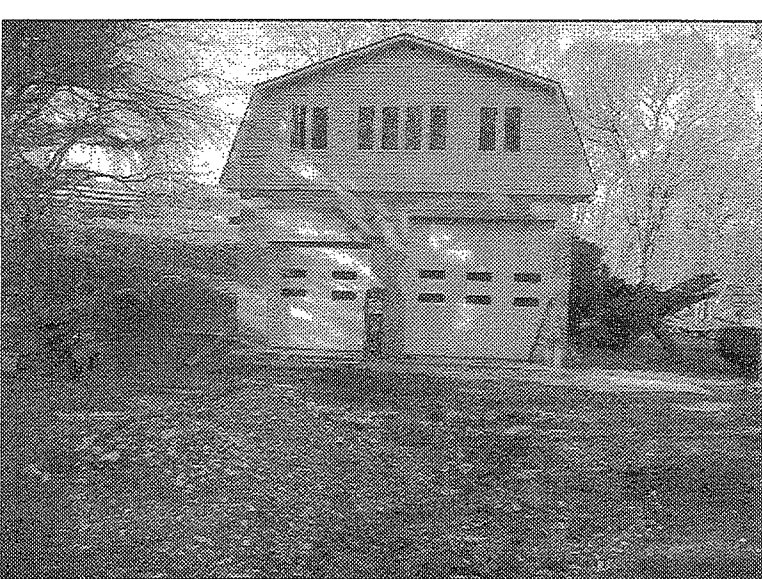
BALTIMORE COUNTY, MARYLAND
5th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 5/13/2016
Scale: 1"=100'

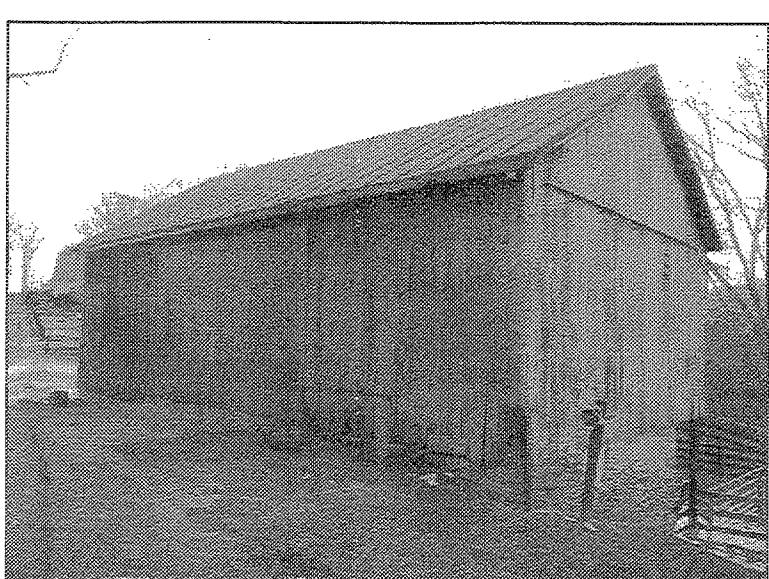


REVISION

PETITIONER'S
EXHIBIT NO. 1



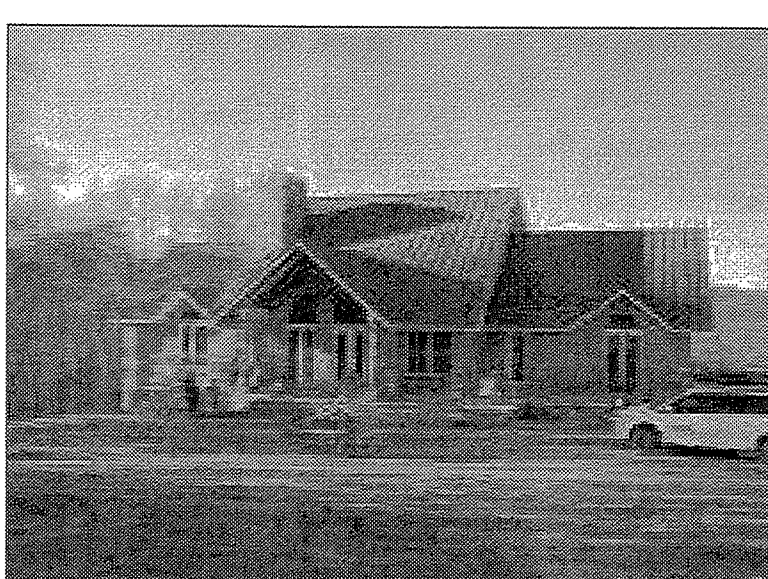
GARAGE/OFFICE



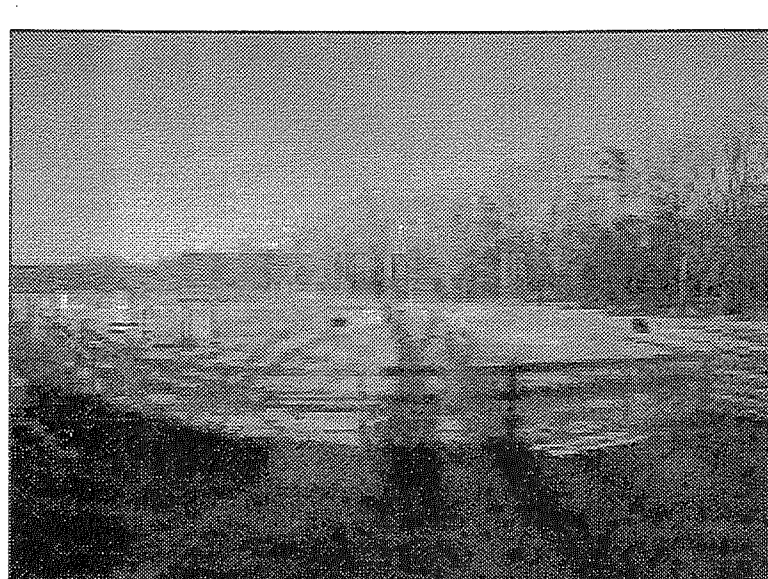
BARN (FRONT)



BARN (BACK)



(HOUSE)



(RIDING AREA)

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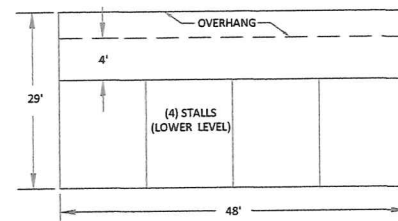
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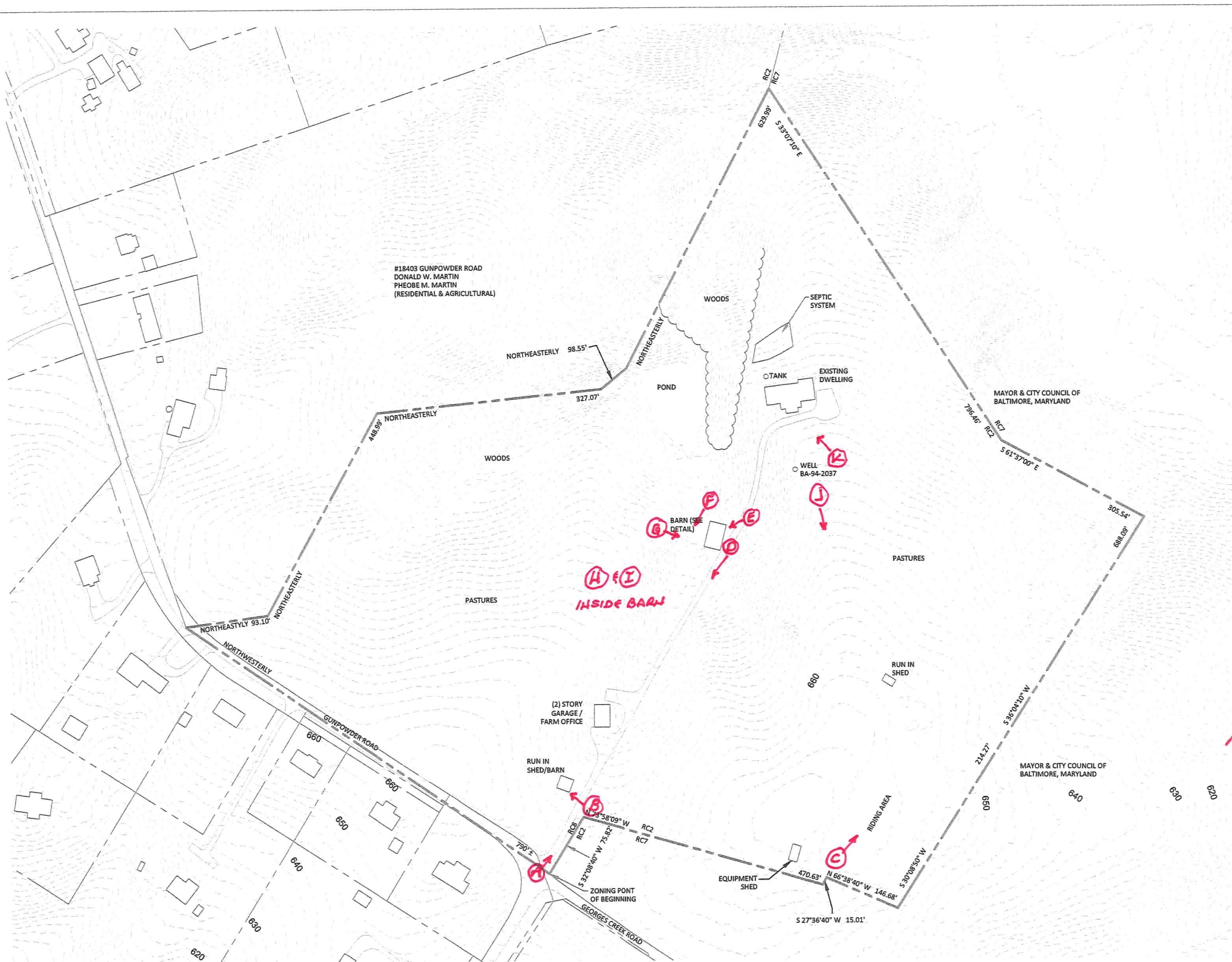
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BARN DETAIL - N.T.S.



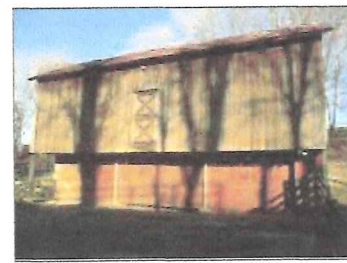
PLAN TO ACCOMPANY
PHOTOGRAPHS



GARAGE/OFFICE



BARN (FRONT)



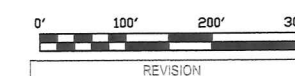
BARN (BACK)



(HOUSE)



(RIDING AREA)



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o 443-900-5535 m 410-419-4906
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A PLAN TO ACCOMPANY
A ZONING PETITION
FOR
18301 GUNPOWDER ROAD

BALTIMORE COUNTY, MARYLAND
5th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 5/13/2016
Scale: 1"=100'

PETITIONER'S

EXHIBIT NO. 3 A-K