MEMORANDUM

DATE: September 19, 2017

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2017-0343-XA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 18, 2017. 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: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
(18801 Spooks Hill Road)	*	OFFICE OF
6th Election District		
3rd Council District	*	ADMINISTRATIVE HEARINGS
Geraldine Auchincloss & Frank Cashin, III		
Legal Owners	*	FOR BALTIMORE COUNTY
Petitioners		
	*	**Case No. 2017-0343-XA**

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 18801 Spooks Hill Road. The Petitions were filed on behalf of Geraldine Auchincloss & Frank Cashin, III, legal owners of the subject property. The Special Exception petition seeks to permit a private kennel on RC 2 zoned property. The Petition for Variance seeks to permit a private kennel to be located as close as 34 ft. and 175 ft. from the nearest property lines in lieu of the required 200 ft. A site plan was marked as Petitioners' Exhibit 1.

Appearing at the hearing in support of the petitions was Gerri Auchincloss and Frank Cashin. Several neighbors attended to obtain additional information regarding the requests. The Petition was advertised and posted as required by the B.C.Z.R. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the county reviewing agencies.

The subject property is approximately 1.73 acres and is zoned RC 2. The property is improved with a single-family dwelling constructed in 1956. Petitioners own, breed and show Wirehaired Griffons, a medium sized hunting dog. At present, Petitioners own three (3) dogs. These dogs are getting too old to show, and Petitioners would like to acquire up to three additional

dogs. Under the zoning regulations, owning more than three dogs requires an owner to seek special exception approval for a "private kennel."

The neighbors at the hearing stated they did not oppose the request, but wanted to make sure certain conditions would be included in any order. I will include in the order below conditions (as discussed at the hearing) to ensure the private kennel operation does not have a detrimental impact upon the community.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. I do not believe the private kennel will have a detrimental impact upon the community, especially since this is a rural, sparsely populated area.

VARIANCE

A variance request involves a two-step process, summarized as follows:

1. It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and

2. If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

ORDER RECEIVED FOR FILING

Date 8/17/17

By Sln

The subject property is narrow and deep (approximately 150 ft. x 500 ft.), and is therefore unique. If the B.C.Z.R. were strictly interpreted Petitioners would suffer a practical difficulty since they would be unable to own more than three dogs. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this **17th** day of **August, 2017**, that the Petition for Special Exception to permit a private kennel on RC 2 zoned property , be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a private kennel to be located as close as 34 ft. and 175 ft. from the nearest property lines in lieu of the required 200 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.

2. No more than six (6) dogs over the age of four months old may be kept at the premises.

3. The private kennel special exception approval shall be personal to the Petitioners herein, and shall not "run with the land." Any future owner or lessee of the property desiring to operate a private kennel would be required to seek approval by way of a petition for special hearing or petition for special exception filed with Baltimore County.

4. The dogs shall not be left outside unattended.

ORDER RECEIVED FOR FILING

Date 8/17/17

By Sln

5. All training and/or exercising of dogs must take place on Petitioners' property, unless other arrangements are made with adjoining property owners.

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 8/07/17
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 18801 SPOOKS HILL RD. PARKTON MD 21120 **which is presently zoned** RC2

Deed References: 33074 / 89-98 10 Digit Tax Account # 0603000400

Property Owner(s) Printed Name(s) GERALDINE C. AUCHINCLOSS + FRANK C. CASLIN, III

(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

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

BCZR: 1A01.2.C.2. → To permit a private kennel on RC2 zoned property.

3. X **a Variance** from Section(s)

BCZR: 421.1 → To permit a private kennel to be located as close as 34 feet and 175 from the nearest property lines in lieu of the required 200 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate 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

Legal Owners (Petitioners):

GERALDINE C. AUCHINCLOSS FRANK C. CASLIN III

Name #1 – Type or Print Name #2 – Type or Print

Geraldine C. Auchincloss Frank C. Caslin III

Signature #1 Signature # 2

18801 SPOOKS HILL RD. PARKTON MD

Mailing Address City State

21120 1904-233-3374 duckriver@yahoo.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 8/17/17
By ASn

CASE NUMBER 2017-0343-XA **Filing Date** 6/22/17 **Do Not Schedule Dates:** NOT AVAILABLE MON - WEDS **Reviewer** JS

REV. 10/4/11

18801 Spooks Hill Road

Property Description:

Northwest side of Spooks Hill Road (20 feet) at a distance of 5,032 feet from the centerline of the intersection with Armcost Road (45 feet). Election District 6, Councilmatic District 3.

1.730 ACRES, MORE OR LESS,
PARCEL OF LAND,
BALTIMORE COUNTY, MARYLAND

ALL THAT LOT OF GROUND situate, lying and being in the Sixth Election District of Baltimore County, State of Maryland and described as follows to wit:

BEGINNING FOR THE SAME at a mag nail now set in the paving of Spooks Hill Road, at the beginning of the first or North 48 degrees West 498.4 foot line of a parcel of land which by a deed dated November 5, 2007 and recorded among the Land Records of Baltimore County in Liber S.M. No. 26462, folio 204, was conveyed by Evelyn G. Calhoun to John L. Calhoun, said mag nail also being set in the paving of Spooks Hill Road, thence running with and binding on said first line, and on the second and third lines of said parcel of land, as the courses are now referred to the Maryland Coordinate System NAD 83/91, the three, following courses and distances, viz: (1) North 56 degrees 07 minutes 58 seconds West 498.40 feet, to an iron bar and cap now set, (2) South 33 degrees 52 minutes 02 seconds West 150.00 feet, to an iron bar and cap now set, and, (3) South 56 degrees 07 minutes 58 seconds, East 258.40 feet, to an iron pipe heretofore set, thence running for a new line of division through a parcel of land which by a deed dated October 14, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6444, folio 365, was conveyed by John H. Calhoun to John H. Calhoun, the following course and distance, viz: (4) South 56 degrees 07 minutes 58 seconds East 248.09 feet to mag nail now set in the twentieth or the North 36-1/2 degrees East 18 perches line of the last mentioned parcel of land, said mag nail also being set in the paving of Spooks Hill Road, thence running with and, binding on a part of said twentieth line, and also running with and binding, for a part, on the sixth or North 36 and one-half degrees East 20.1 foot line of the first herein mentioned deed, and running in Spooks Hill Road, the following course and distance, viz: (5) North 30 degrees 46 minutes 44 seconds East, passing over a steel gear spike now set at the distance of 130.19 feet, in all, 150.22 feet, to the place of beginning. Containing 1.730 acres of land, more or less.

BEING the same lot of ground which by Deed dated November 5, 2007 and recorded among the Land Records of Baltimore County, in Liber No. 26462, folio 204, was granted and conveyed by Evelyn G. Calhoun unto Evelyn G. Calhoun life tenant without powers of disposition with remainder unto John L. Calhoun. SAID Evelyn G. Calhoun has since departed this life on or about July 10, 2011 thereby vesting title solely unto John L. Calhoun, Remainderman, the herein Grantor. (**TAX ID No.** 06-06-03-000400)

ALSO BEING a part of the same lot of ground which by Deed dated October 14, 1982 and recorded among the Land Records of Baltimore County in Liber 6444, folio 365, was granted and conveyed by John H. Calhoun unto John H. Calhoun, life tenant without powers of disposition, with remainder unto John L. Calhoun. SAID John H. Calhoun has since departed this life on or about January 1, 1983 thereby vesting title solely unto John L. Calhoun, Remainderman, the herein Grantor. (**Part of TAX ID No.** 06-06-03-000050)

2017-0343-XA

THE BALTIMORE SUN MEDIA GROUP

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 5076397

Sold To:
Geraldine Auchincloss - CU00609635
18801 Spooks Hill Rd
Parkton,MD 21120-9079

Bill To:
Geraldine Auchincloss - CU00609635
18801 Spooks Hill Rd
Parkton,MD 21120-9079

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

Jul 20, 2017

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: # 2017-0343-XA
18801 Spooks Hill Road
NW/s Spooks Hill Road, 5,032 ft. NW of centerline of Armcost Road
6th Election District - 3rd Councilmanic District
Legal Owner(s) Geraldine Auchincloss & Frank Caslin, III

Special Exception: to permit a private kennel on an RC 2 zoned property. Variance to permit a private kennel to be located as close as 34 ft. and 175 ft. from the nearest property lines in lieu of the required 200 ft.
Hearing: Thursday, August 10, 2017 at 1:30 p.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.

7/071 July 20 5076397

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

Date: 07/20/2017

RE: Project Name: Public Hearing

Case Number /PAI Number: 2017-0343-XA

Petitioner/Developer: Geraldine Auchincloss & Frank Caslin, III

Date of Hearing/Closing: August 10, 2017

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 18801 Spooks Hill Rd. Parkton, MD. 21120

The sign(s) were posted on 07/20/2017
(Month, Day, Year)

(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

KEVIN KAMENETZ
County Executive

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

July 11, 2017

NOTICE OF ZONING HEARING

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NW/s Spooks Hill Road, 5,032 ft. NW of centerline of Armcost Road
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Arnold Jablon
Director

AJ:kl

C: Geraldine Auchincloss, Frank Caslin, III, 18801 Spooks Hill Road, Parkton 21120

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 21, 2017.**
(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.

KEVIN KAMENETZ
County Executive

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

July 11, 2017

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Director

AJ:kl

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TO: PATUXENT PUBLISHING COMPANY
Thursday, July 20, 2017 Issue - Jeffersonian

Please forward billing to:
Geraldine Auchincloss
18801 Spooks Hill Road
Parkton, MD 21120

904-233-3374

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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18801 Spooks Hills Road
NW/s Spooks Hill Road, 5,032 ft. NW of centerline of Armcost Road
6th Election District – 3rd Councilmanic District
Legal Owners: Geraldine Auchincloss & Frank Caslin, III

Special Exception to permit a private kennel on an RC 2 zoned property. Variance to permit a private kennel to be located as close as 34 ft. and 175 ft. from the nearest property lines in lieu of the required 200 ft.

Hearing: Thursday, August 10, 2017 at 1:30 p.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 AND VARIANCE 18801 Spooks Hill Road; NW/S Spooks Hill Road, 5,032' NW of c/line of Armcost Road 6th Election & 3rd Councilmanic Districts Legal Owner(s): Geraldine Auchincloss & Frank C. Caslin III Petitioner(s)	* * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2017-343-XA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of July, 2017, a copy of the foregoing Entry of Appearance was mailed to Geraldine Auchincloss & Frank Cashin, 18801 Spooks Hill Road, Parkton, Maryland 21120, 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 twenty (20) 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: 2017-0343-XA

Property Address: 18801 SPOOKS HILL RD, 21120

Property Description:

Legal Owners (Petitioners): AUCHINCLOSS + CASLIN

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: GERALDINE AUCHINCLOSS

Company/Firm (if applicable):

Address: 18801 SPOOKS HILL RD

PARKTON, MD 21120

Telephone Number: 904-233-3374

Revised 7/9/2015

KEVIN KAMENETZ
County Executive

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

August 2, 2017

Geraldine C Auchincloss
Frank C Caslin III
18801 Spooks Hill Road
Parkton MD 21120

RE: Case Number: 2017-0343 XA, Address: 18801 Spooks Hill Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 22, 2017. This letter is not an approval, but only a **NOTIFICATION.**

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 7/5/17

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. 2017-0343-XA.
Special Exception Variance
Geraldine C. Auchincloss & Frank C. Cashwell III
18801 Spooks Hill 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,

Richard A Zeller

for Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 7/26/2017

RECEIVED
JUL 31 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 17-343

INFORMATION:
Property Address: 18801 Spooks Hill Road
Petitioner: Geraldine C. Auchincloss, Frank C. Caslin, III
Zoning: RC 2
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception to use the property for a private kennel and the petition for a variance to permit a private kennel to be located as close as 34 feet and 175 feet from the nearest property lines in lieu of the required 200 feet.

A site visit was conducted on July 19, 2017.

The petitioners have indicated to the Department the existing single family dwelling will be used as the kennel and that the maximum number of dogs on site will be six (6).

The Department has no objection to granting the petitioned zoning relief. The Department will concur with the decision of the Administrative Law Judge as to the appropriate maximum number of dogs permitted on site at any given time.

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
Geraldine C. Auchincloss, Frank C. Caslin, III
Office of the Administrative Hearings
People's Counsel for Baltimore County

8-10

RECEIVED

JUL 10 2017

OFFICE OF
ADMINISTRATIVE HEARINGS

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: July 10, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0343-XA
Address 18801 Spook Hill Road
(Auchincloss & Cashin Property)

Zoning Advisory Committee Meeting of **July 10, 2017.**

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

Reviewer: Steve Ford Date: 7-10-2017

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 17-0343-XA 18801 Spooks Hill Road.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: July 10, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0343-XA
Address 18801 Spook Hill Road
(Auchincloss & Cashin Property)

Zoning Advisory Committee Meeting of **July 10, 2017.**

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

Reviewer: Steve Ford Date: 7-10-2017

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 2017-0343-XA
DATE 8-10-17

PETITIONER'S SIGN-IN SHEET

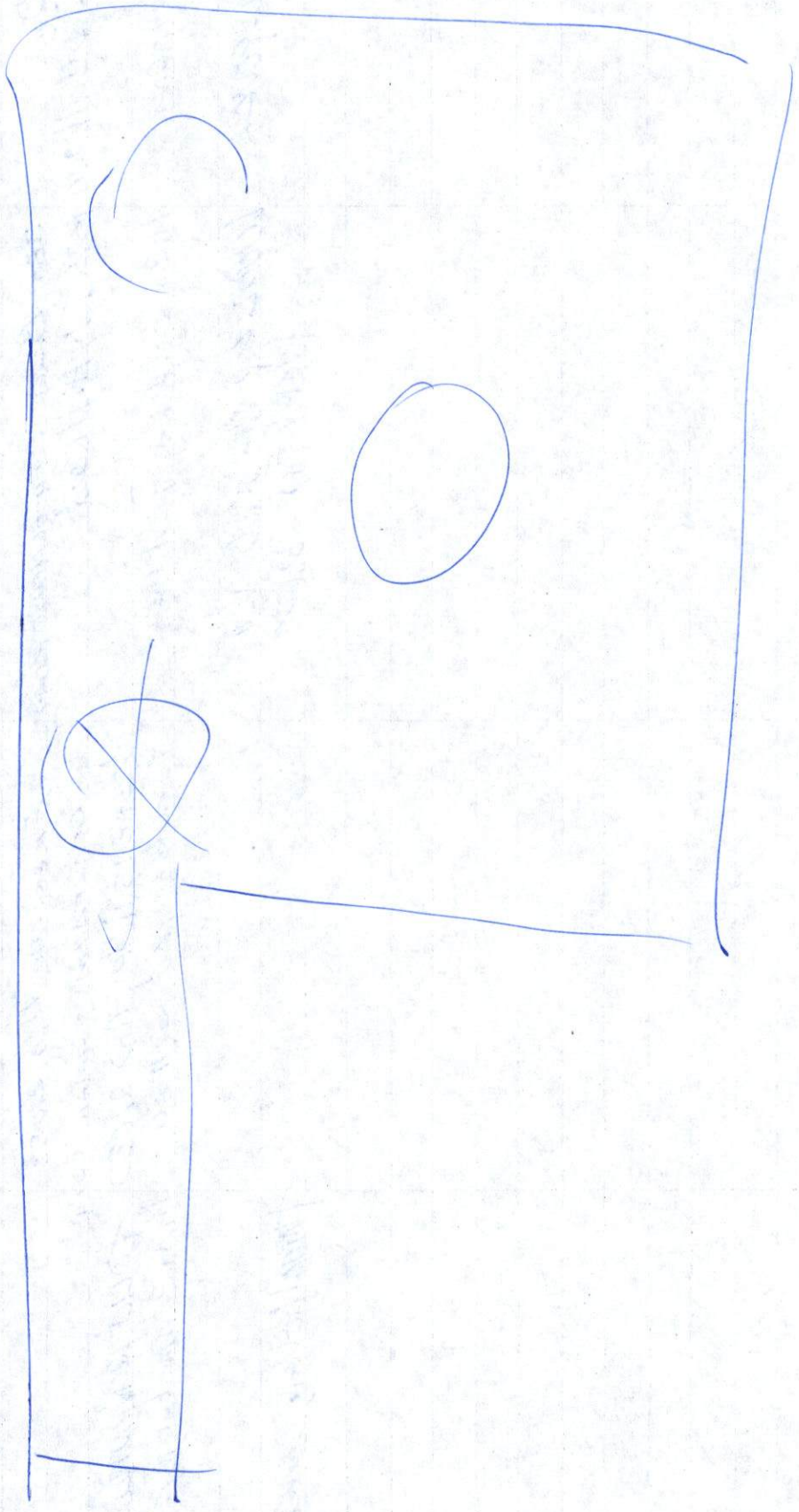
NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
GERRI AUCHINCLOSS	18801 SPOOKS HILL RD	PARKTON MD 21120	duckriver@yahoo.com
FRANK CASLIN	18801 SPOOKHILL Rd	PARKTON MD 21093	

PLEASE PRINT CLEARLY

CASE NAME Auchincloss / Cashin
CASE NUMBER 2017-0343-XA
DATE 8/10/17

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Bruce E. Doak	3801 Baker Schoolhouse Road	Friskland Md 21053	
Annamarie B Calhoun	1512 Ivy Hill Road	Cockeysville, MD 21030	trudycalhoun@gmail.com
Linda Borgmann	1630 Bond Rd, Parkton	Parkton, MD 21120	lindaC homesbyriley.com
Tom Woolfolk	18832 Spook Hill Rd Parkton 21120		twoolfolk@comcast.net



Facts About the Wirehaired Pointing Griffon

AKC Breed Standard:

General Appearance
Medium sized, with a noble, square-shaped head, strong of limb, bred to cover all terrain encountered by the walking hunter. Movement showing an easy catlike gracefulness. Excels equally as a pointer in the field, or a retriever in the water. Coat is hard and coarse, never curly or woolly, with a thick undercoat of fine hair, giving an unkempt appearance. His easy trainability, devotion to family, and friendly temperament endear him to all. The nickname of "supreme gundog" is well earned.

Size, Proportion, Substance
Size--22 to 24 inches for males, 20 to 22 inches for females. Correct size is important. Oversize to beseverely penalized. Proportion--Slightly longer than tall, in a ratio of 10 to 9. Height from withers to ground; length from point of shoulder to point of buttocks. The Griffon must not evolve towards a square conformation. Substance medium, reflecting his work as an all-terrain hunting dog.

Temperament
The Griffon has a quick and intelligent mind and is easily trained. He is outgoing, shows a tremendous willingness to please and is trustworthy. He makes an excellent family dog as well as a meticulous hunting companion.

PETITIONER'S

EXHIBIT NO. 6

CASE NO. 2017-0343-XA

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
7/10/17	DEPS (if not received, date e-mail sent)	no comment
	FIRE DEPARTMENT	
7/31/17	PLANNING (if not received, date e-mail sent)	no obj
7/5/17	STATE HIGHWAY ADMINISTRATION	no obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No.)

PRIOR ZONING (Case No.)

NEWSPAPER ADVERTISEMENT Date: 7/20/17

SIGN POSTING Date: 7/20/17 by Altmeyer

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Account Identifier: District - 06 Account Number - 0603000400

Owner Information

Owner Name:	AUCHINCLOSS GERALDINE C CASLIN FRANK C	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	18801 SPOOK HILL RD PARKTON MD 21120-0657	**Deed Reference:**	/33074/ 00089

Location & Structure Information

Premises Address:	18801 SPOOKS HILL RD PARKTON 21120-	**Legal Description:**	1.730 AC 18801 SPOOKS HILL RD 2050 FT W RAYVILLE RD

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0016	0003	0190		0000				2017	Plat Ref:

Special Tax Areas:		**Town:**	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1956	1,488 SF		1.7300 AC	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	FRAME	1 full		

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2016	Phase-in Assessments As of 07/01/2017
Land:	106,200	106,200		
Improvements	118,200	121,900		
Total:	224,400	228,100	224,400	225,633
Preferential Land:	0			0

Transfer Information

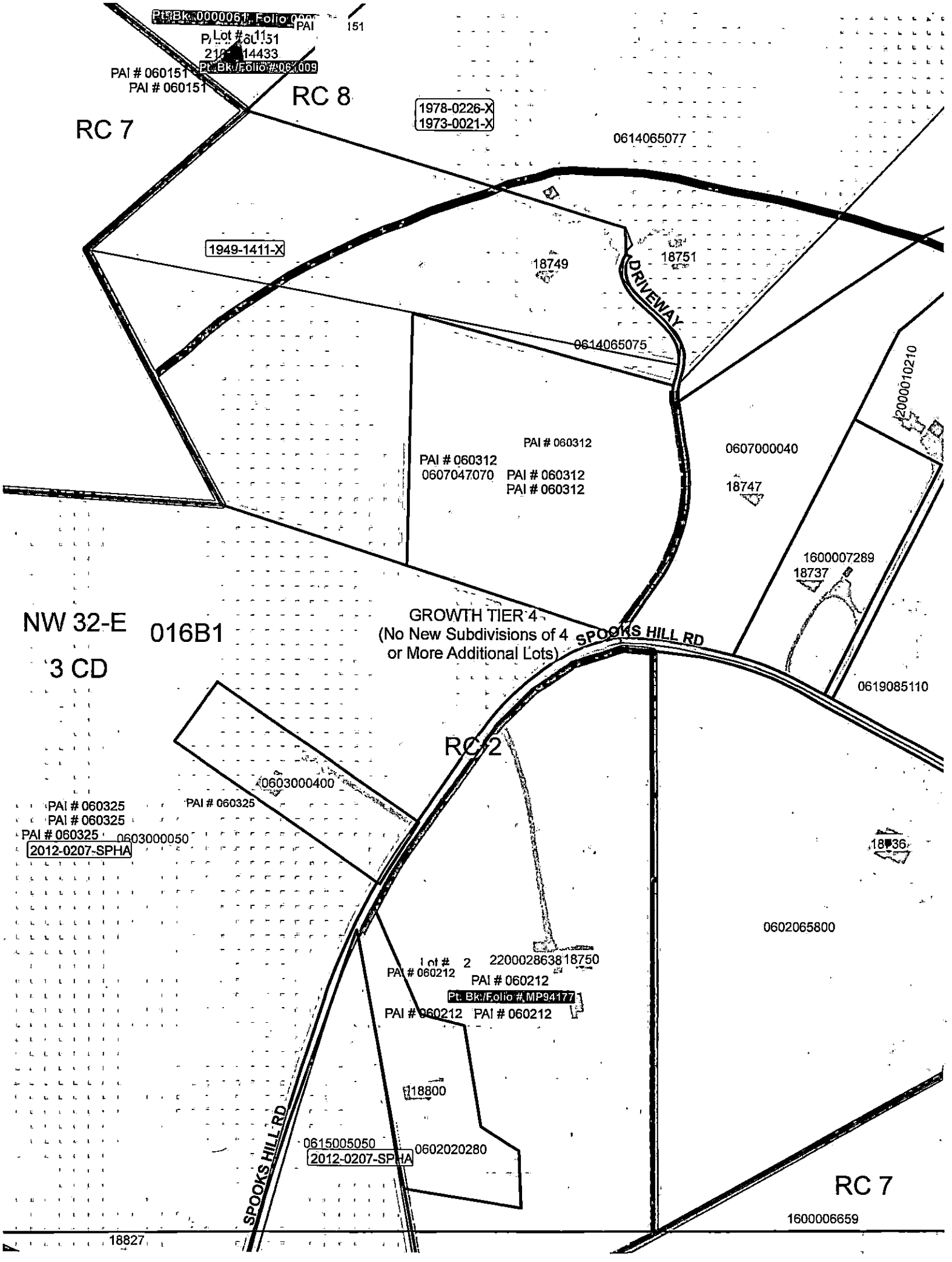
Seller: CALHOUN EVELYN G	**Date:** 01/18/2013	**Price:** $245,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /33074/ 00089	**Deed2:**
Seller: CALHOUN JOHN H	**Date:** 12/07/2007	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /26462/ 00204	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2016	07/01/2017
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:	NONE

Homestead Application Information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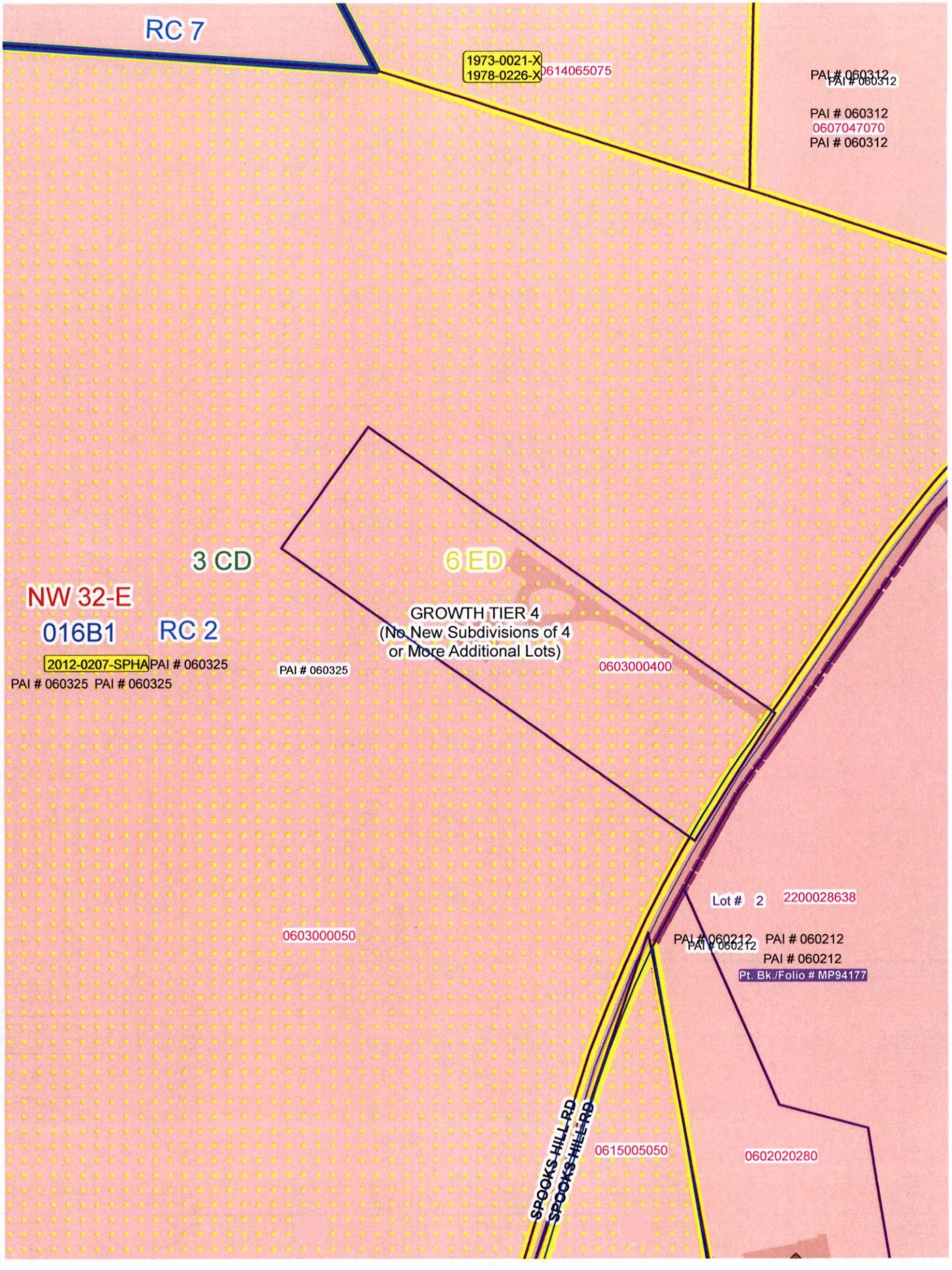
PAI
151
Lot # 11
PAI # 060151
21[redacted]14433
Pt. Bk./Folio # 061009
PAI # 060151
PAI # 060151
RC 8
RC 7
1978-0226-X
1973-0021-X
0614065077
1949-1411-X
18749
18751
DRIVEWAY
0614065075
2000010210
PAI # 060312
PAI # 060312
0607047070
PAI # 060312
PAI # 060312
0607000040
18747
1600007289
18737
NW 32-E
016B1
3 CD
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
SPOOKS HILL RD
0619085110
RC 2
0603000400
PAI # 060325
PAI # 060325
PAI # 060325
PAI # 060325
0603000050
2012-0207-SPHA
18836
0602065800
Lot # 2
220002863
18750
PAI # 060212
PAI # 060212
Pt. Bk./Folio # MP94177
PAI # 060212
PAI # 060212
18800
0615005050
2012-0207-SPHA
0602020280
SPOOKS HILL RD
RC 7
1600006659
18827

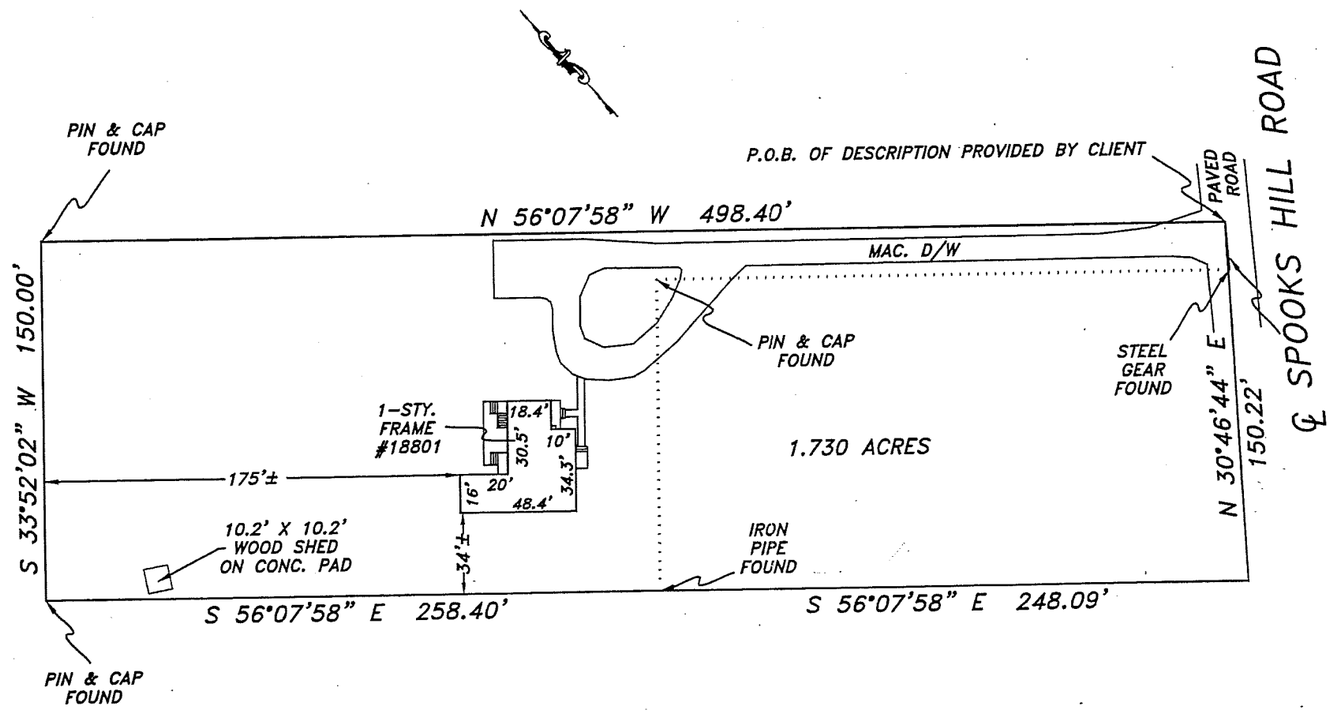

RC 7
1973-0021-X
1978-0226-X
0614065075
PAI # 060312
PAI # 060312
PAI # 060312
0607047070
PAI # 060312
3 CD
6 ED
NW 32-E
016B1
RC 2
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
2012-0207-SPHA
PAI # 060325
PAI # 060325
PAI # 060325
PAI # 060325
0603000400
Lot # 2
2200028638
0603000050
PAI # 060212
PAI # 060212
PAI # 060212
PAI # 060212
Pt. Bk./Folio # MP94177
SPOOKS HILL RD
SPOOKS HILL RD
0615005050
0602020280

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL EXCEPTION X (MARK TYPE REQUESTED WITH X)

ADDRESS 18801 SPOOKS HILL RD OWNER(S) NAME(S) GERALDINE AUCHINCLOSS + FRANK CASLIN, III

SUBDIVISION NAME N/A LOT # N/A BLOCK # N/A SECTION # N/A

PLAT BOOK # N/A FOLIO # N/A 10 DIGIT TAX # 0603000400 DEED REF. # 33074/00089



STATE OF MARYLAND
JAMES C. HUDGINS
No. 96
REGISTERED PROPERTY LINE SURVEYOR

J. Carl Hudgins PLS #96
Expiration Date: 3/11/14

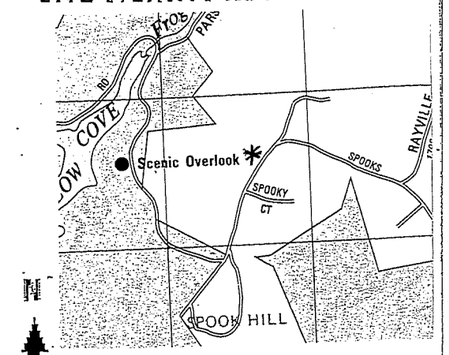
LOCATION DRAWING
18801 Spooks Hill Road
3rd ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

NTT Associates, Inc.
16205 Old Frederick Rd.
Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com

Scale:	1"= 60'
Date:	12-11-12
Field By:	M.R.H.
Drawn By:	M.R.H.
Drawing #	88404TIMS
Page No.:	1 of 2

SCALE: 1 INCH = 60 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 016B1

SITE ZONED RC2

ELECTION DISTRICT 6

COUNCIL DISTRICT 3

LOT AREA ACREAGE 1.73A

OR SQUARE FEET

HISTORIC ? NO

IN CBCA ?

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC ___ PRIVATE X

SEWER IS:

PUBLIC ___ PRIVATE X

PRIOR HEARING ? NO

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:

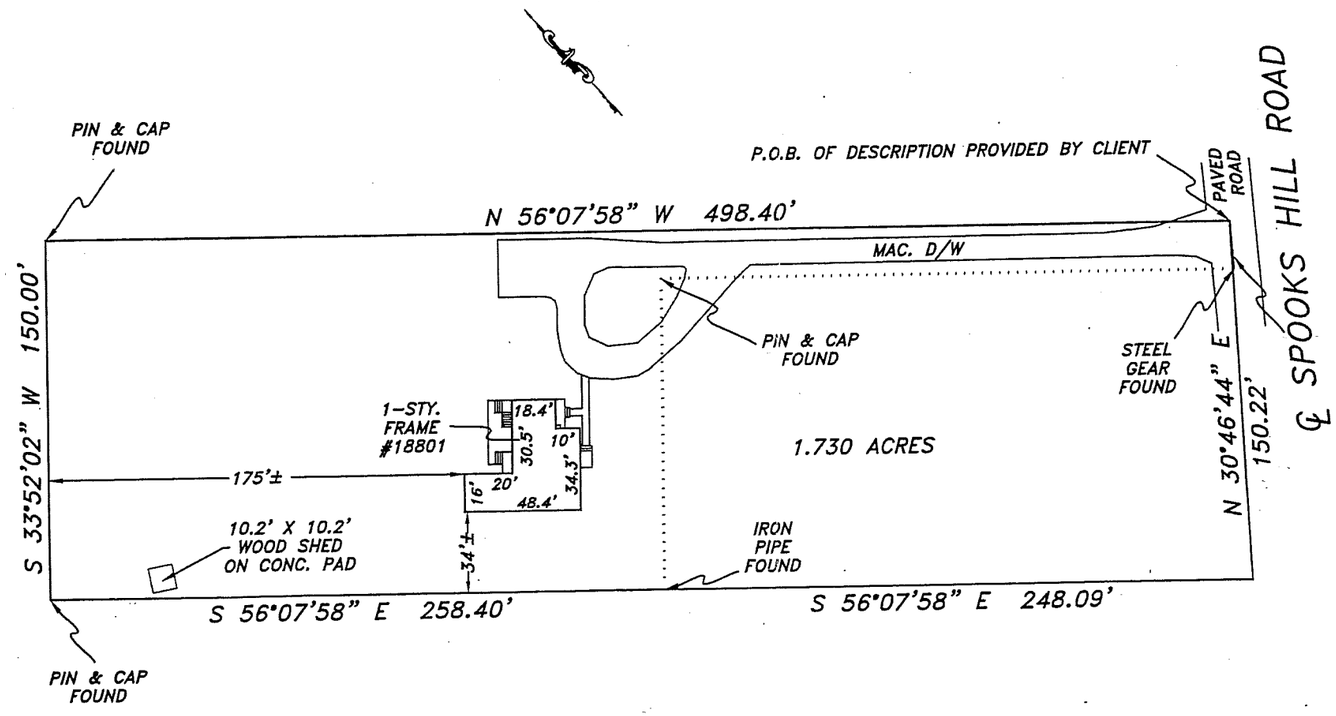
2017-0343-XA Petitioners No. 1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL EXCEPTION X (MARK TYPE REQUESTED WITH X)

ADDRESS 18801 SPOOKS HILL RD OWNER(S) NAME(S) GERALDINE AUCHINCLOSS + FRANK CASLIN, III

SUBDIVISION NAME N/A LOT # N/A BLOCK # N/A SECTION # N/A

PLAT BOOK # N/A FOLIO # N/A 10 DIGIT TAX # 0603000400 DEED REF. # 33074/00089



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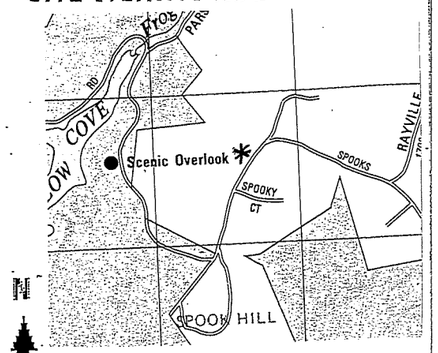

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