

M E M O R A N D U M

DATE: October 5, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0064-X- Appeal Period Expired

The appeal period for the above-referenced case expired on October 2, 2020. 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.'

/dlm

cc: ✓ Case File
Office of Administrative Hearings

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(18310 Gunpowder Road)**

5th Election District

3rd Council District

Carol J. Santamaria, *Legal Owner*

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0064-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 18310 Gunpowder Road. The Petitions were filed on behalf of Carol J. Santamaria, legal owner of the subject property ("Petitioner"). The Special Exception petition seeks to permit an animal boarding place and a commercial kennel pursuant to § 1A01.2.C.2 of the Baltimore County Zoning Regulations ("BCZR"). The Petition for Variance seeks to allow the animal boarding place and commercial from kennel use (driveway) to be located 20 ft. to the nearest property line in lieu of the required 200 ft., pursuant to § 424.1. A site plan was marked and admitted as Petitioner's Exhibit 1.

Due to the COVID-19 pandemic, a WebEx hearing was conducted virtually by computer and/or phone participation. Appearing in support of the petitions were Carol J. Santamaria and Bruce E. Doak of Bruce E. Doak Consulting, LLC. The Petition was advertised and posted as required by the BCZR. Numerous homeowners in the immediate vicinity attended and opposed the requested relief.

Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability. These agencies did not oppose the requested relief, subject to proposed conditions.

ORDER RECEIVED FOR FILING

Date

9/2/20

By

D. Mignon

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The subject property is located on Gunpowder Road, a designated scenic route under the 2020 Master Plan. It is approximately 8.713 acres in size and zoned in RC 2. The area contains a mix of agriculture and rural residential. The petitioner, Ms. Santamaria, testified that it has long been a dream of hers to operate a boarding kennel for dogs. She testified that she and her family have always owned dogs but she acknowledged that she has no training or experience in dog training or kenneling. She testified that the kennel would be operated by she and her husband, and, where needed, with the assistance of one of their adult children. When questioned about how they would control the dogs' barking she stated that she or her husband would immediately go out and try to quiet the dog or dogs when they began to bark. However, not surprisingly she could not explain exactly how they would accomplish that, other than to say that they would "do the best they can." She testified that they would have no more than six dogs there at a time. However, according to the floor plan of the proposed kennel (Petitioner's Exhibit 3) there are seven dog runs in the structure. And I note that the Site Plan states that they are seeking to house up to 10 dogs there. She testified that when she inquired about whether she would be permitted to operate the proposed kennel at this site the zoning office told her that it was "potentially allowed," but that she would need to obtain the special exception and variance relief that are the subject of this case.

Mr. Doak, the property line surveyor who prepared the Site Plan, explained the Plan in some detail. He explained that they need to construct the proposed driveway within 20 feet of the adjoining property line because of the location of the septic field on the east side of the residence, which precludes it from being located closer to the residence. He explained that the other side of the residence was also not a feasible location for the driveway due to the steep grade. He

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9/2/20

By

Mignone

acknowledged that the BCZR requires a 200 ft. side yard setback from the driveway to the adjoining property line because the driveway is considered part of the kennel operation. He also acknowledged that the proposed kennel building itself is only 110 feet from the property to the east. He testified that they would plant a vegetative screen along the driveway to address the visual impacts but he acknowledged this would not significantly lessen the noise impacts from the kennel. He also acknowledged that the impacts of the proposed kennel at this location would potentially have a greater adverse impact than in many other locations in the RC 2 zone due to the close proximity of the surrounding neighbors, one of whom operates a horse boarding and training facility.

Each of the surrounding property owners testified and they all expressed concerns about the anticipated noise generated by the proposed kennel. They testified that the noise at this location would carry more than in the usual location due to the steep contours of the valley. Several of the neighbors testified that they have horses and are concerned that the barking of the dogs could startle and panic them. Heather Saul Rathbone testified that she operates a horse boarding and training operation nearby on Gunpowder Road. She explained that there are currently six horses boarded there and three trainers there on a daily basis training horses. She expressed concern that the younger, more skittish horses in training could be spooked by sudden barking from the kennel since dogs are natural predators of horses. Linda Cross, the adjoining neighbor to the west testified that she is an experienced dog trainer and that there absolutely will be noise when you house a group of dogs together, and that there is no magical way to stop them from barking once they start. The neighbors strenuously objected to the requested variance relief and expressed frustration that "the County" would even consider granting a setback variance from 200 feet down to 20 feet. I explained that the Petitioner had the right under the County Code to

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9/2/20

By

W. Mignone

petition for this relief and that the County agencies are required to process this petition but that it is the function of the Administrative Law Judge to decide whether the requested relief is lawful and appropriate.

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.

Based on the record evidence in this case I find that the adverse impacts of the proposed kennel at this site would in fact be greater than those inherently associated with kennels. Indeed, as noted above, Mr. Doak, acknowledged as much due to the fact that this proposed kennel would literally be surrounded by and in close proximity to numerous residences, including horse farms. Further, I find that the Petitioner has not met several of the conditions imposed by BCZR § 502.1. First, I believe this proposed kennel use *would* be detrimental to the general welfare of the locality due to the extraordinary noise impacts at this location. Second, given the proximity of the neighboring horse farms I believe there is real potential for panic or other danger to occur if a horse is suddenly startled by barking dogs. Finally, I believe a kennel at this site would overcrowd the land.

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By

D. Mignon

VARIANCE

The general rule is that “the authority to grant a variance should be exercised sparingly and only under exceptional circumstances.” *Mueller v. People’s Counsel for Baltimore County*, 177 Md. App. 43, 71(2007). This is because “a variance is an authorization for that which is prohibited by a zoning ordinance.” *Cromwell v. Ward*, 102 Md. App. 691, 699 (1995). And because “citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations.” *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). Therefore, “[t]he burden is on the applicant to show facts to warrant a variance,” and “the specific need for the variance must be substantial and urgent and not merely for the convenience of the applicant.” *Mueller v. People’s Counsel for Baltimore County*, 177 Md. App. at 70.

Under BCZR Sec. 307, and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, 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 is what necessitates the requested variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, supra. Finally, “unless there is a finding that the property is unique, unusual, or different, the process stops here and the variance is denied without any consideration of practical difficulty or unreasonable hardship.” *Mueller, supra*, 177 Md. App. at 70.

The property in this case is arguably unique in that it is accessed by a panhandle drive and is irregularly shaped. Further, the location of the septic field necessitates the proposed driveway being placed within 20 feet of the adjoining property. Therefore, if this were a minor variance request I believe the equities would be in Petitioner’s favor. But here the Petitioner is seeking to construct a driveway a mere 20 feet from their neighbor’s property when the law entitles that

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By

9/2/20
D. Mignan

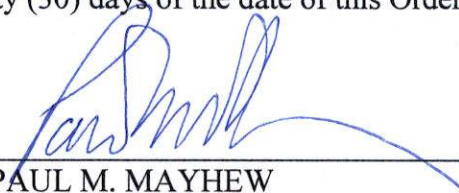
neighbor to 200 feet of buffer - ten times as much. Further, apart from the driveway, the kennel building itself is proposed to be only 110 feet from one neighbor, and the exercise run only 90 feet from another.

Finally, the record evidence does not support a finding that Petitioners' need for this variance is "substantial and urgent." *Mueller, supra*, 177 Md. App. at 70. While I certainly understand that Petitioner would like to operate a kennel on her property, the law does not allow me to grant the requested variances on these facts. To the contrary, the record evidence establishes that the neighboring property owners are entitled to "strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965).

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this day **2nd** of **September**, **2020** that the Petition for Special Exception to permit an animal boarding place and a commercial kennel pursuant to § 1A01.2.C.2 of the Baltimore County Zoning Regulations ("BCZR") be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Variance to allow the animal boarding place and commercial from kennel use (driveway) to be located 20 ft. to the nearest property line in lieu of the required 200 ft., pursuant to § 424.1. be and is hereby DENIED.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

ORDER RECEIVED FOR FILING

Date

By

9/2/20
D. Mignola



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 18310 GUNPOWDER ROAD which is presently zoned RC2
Deed References: JLE 38865/389 10 Digit Tax Account # 1700007606
Property Owner(s) Printed Name(s) CAROL J. SANTAMARIA

(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)

SEE ATTACHED PAGE

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

By Attorney for Petitioner:

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

Legal Owners (Petitioners):

CAROL J. SANTAMARIA
Name #1 - Type or Print Name #2 - Type or Print
Signature #1 [Signature] Signature #2
Mailing Address 18310 GUNPOWDER ROAD HAMPSHIRE MD
City State
Zip Code 21074 Telephone # 410-830-9240 Email Address

Representative to be contacted:

BRUCE E. DOAK
Name - Type or Print
Signature [Signature]
Mailing Address 3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
City State
Zip Code 21053 Telephone # 410-919-4906 Email Address

CASE NUMBER 2020-0064-YA Filing Date 3/2/20 Do Not Schedule Dates: Reviewer gr

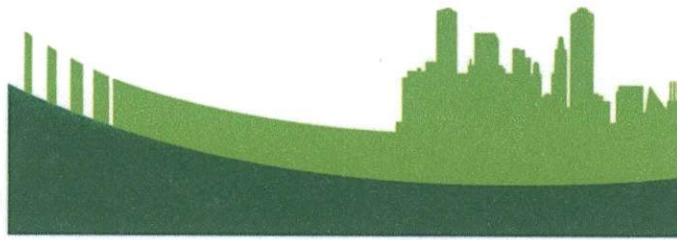
AM HEARING ONLY

REV. 10/4/11

2020-0064-XA

Special Exception section 1A01.2.C.2 (BCZR); To permit an animal boarding place and a commercial kennel.

Variance from section 421.1 (BCZR); To allow the animal boarding place and commercial kennel use (driveway) to be located 20 feet to the nearest property line in lieu of the required 200 feet.



Zoning Description

18310 Gunpowder Road- 8.713 Acre Parcel
Fifth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the south side of Gunpowder Road, southwesterly 570 feet, more or less, from the center of George's Creek Road, thence leaving said road and running with and binding on the outlines of the subject property, 1) South 41 degrees 13 minutes 10 seconds West 193.74 feet, 2) South 47 degrees 13 minutes 50 seconds East 104.37 feet, 3) South 41 degrees 31 minutes 10 seconds West 416.23 feet, 4) South 54 degrees 46 minutes 09 seconds West 104.97 feet, 5) South 57 degrees 09 minutes 02 seconds West 209.38 feet, 6) North 60 degrees 46 minutes 15 seconds West 738.01 feet, 7) North 52 degrees 22 minutes 10 seconds East 486.65 feet, 8) South 46 degrees 55 minutes 38 seconds East 485.78 feet, 9) North 41 degrees 35 minutes 53 seconds East 246.90 feet, 10) South 47 degrees 05 minutes 50 seconds East 150.01 feet and 11) North 41 degrees 31 minutes 10 seconds East 275.50 feet to the south side of Gunpowder Road, thence binding on the south side of said road and continuing to run with and bind on the outlines of the subject property 12) South 47 degrees 13 minutes 50 seconds East 50.01 feet to the point of beginning

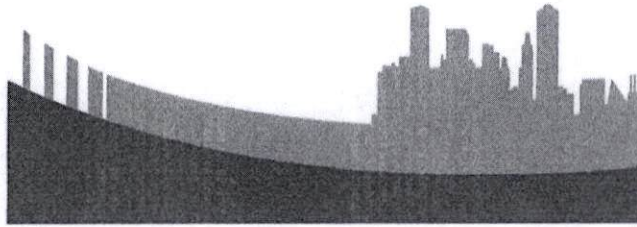
Containing 8.713 acres of land, more or less.

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

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



CASE # 2020-0064-XA



CERTIFICATE OF POSTING

August 6, 2020

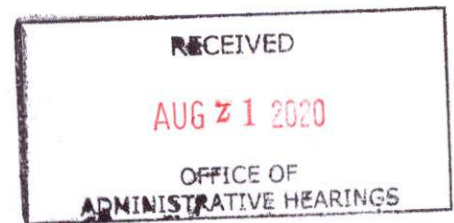
August 21, 2020 amended for second inspection

Re:

Zoning Case No. 2020- 0064- XA

Legal Owner: Carol Santamaria

Hearing date: August 27, 2020



Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **18310 Gunpowder Road**.

The signs were initially posted on **August 6, 2020**.

The subject property was also inspected on **August 21, 2020**.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2020-0064-XA

18310 Gunpowder Road

THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY
AUTHORITY OF THE ZONING ACT AND REGULATIONS OF
BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE
PROPERTY IDENTIFIED.

DATE & TIME: THURSDAY AUGUST 27, 2020 10:00 AM

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND
THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-887-3866 EXT. 12.

REQUESTS:

SPECIAL EXCEPTION TO PERMIT AN ANIMAL BOARDING
PLACE AND COMMERCIAL KENNEL.

VARIANCE TO ALLOW THE ANIMAL BOARDING PLACE AND
COMMERCIAL KENNEL USE (DRIVEWAY) TO BE LOCATED 20
FT. TO THE NEAREST PROPERTY LINE IN ORDER TO MEET THE
REQUIRED 200 FT.

ZONING NOTICE

CASE NO. 2020-0064-XA

18310 Gunpowder Road

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410-887-3868, EXT. 0.

REQUESTS:

**SPECIAL EXCEPTION TO PERMIT ANIMAL BOARDING
PLACE AND COMMERCIAL KENNEL.**

**VARIANCE TO ALLOW THE ANIMAL BOARDING PLACE AND
COMMERCIAL KENNEL USE (DRIVEWAY) LOCATED 20
FT. TO THE NEAREST PROPERTY LINE AND THE
REQUIRED 200 FT.**

Donna Mignon

To: Bruce Doak
Subject: FW: 18310 Gunpowder Road - 8/27/2020 10:00 a.m.
Attachments: Posting Cert 8 06 20.pdf; Posting cert 8 21 20.pdf

Hi Bruce,
Thank you for sending these to me.
I am now just waiting for the exhibits. Thank you so much. Have a great weekend.

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, August 21, 2020 11:30 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 18310 Gunpowder Road - 8/27/2020 10:00 a.m.

CAUTION: This message from doakfarm@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning Donna,

I have enclosed the previous posting cert that was submitted to Jenae

And the re-cert from today.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

On Aug 20, 2020, at 1:09 PM, Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

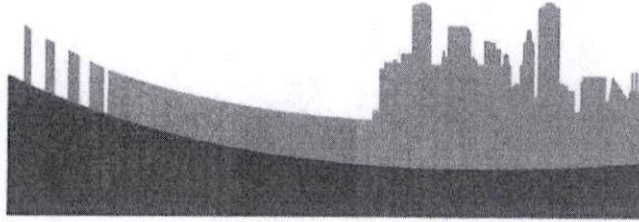
Good Afternoon,
I am in the process of getting this file ready for the hearing next week.
I do not see the Certification of Sign Posting in the file. Can you please check to see if you have this and if so email to me.
Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

BE SAFE Practice social distancing and
CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov



CERTIFICATE OF POSTING

August 6, 2020

_____ amended for second inspection

Re:

Zoning Case No. 2020- 0064- XA

Legal Owner: Carol Santamaria

Hearing date: August 27, 2020



Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **18310 Gunpowder Road**.

The signs were initially posted on **August 6, 2020**.

The subject property was also inspected on _____.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2020-0064-XA

18310 Gunpowder Road

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410-887-3868, EXT. 0.**

REQUESTS:

**SPECIAL EXCEPTION TO PERMIT ANIMAL BOARDING
PLACE AND COMMERCIAL KENNEL**

**VARIANCE TO ALLOW THE ANIMAL BOARDING PLACE AND
COMMERCIAL KENNEL USE (DRIVE-THRU) TO BE LOCATED 20
FT. TO THE NEAREST PROPERTY LINE IN LIEU OF THE
REQUIRED 200 FT.**

ZONING NOTICE

CASE NO. 2000-00047A

DATE: 01/01/2001

THE BOARD OF ZONING ADJUSTMENTS HAS CONSIDERED THE APPLICATION FOR A ZONING VARIANCE FOR THE PROPERTY DESCRIBED BELOW.

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PROPERTY ADDRESS:

THE BOARD OF ZONING ADJUSTMENTS HAS CONSIDERED THE APPLICATION FOR A ZONING VARIANCE FOR THE PROPERTY DESCRIBED BELOW.

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DATE: 01/01/2001

CASE NO.

THE BOARD OF ZONING ADJUSTMENTS HAS CONSIDERED THE APPLICATION FOR A ZONING VARIANCE FOR THE PROPERTY DESCRIBED BELOW.

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THE BOARD OF ZONING ADJUSTMENTS HAS CONSIDERED THE APPLICATION FOR A ZONING VARIANCE FOR THE PROPERTY DESCRIBED BELOW.

DATE: 01/01/2001

TO: THE DAILY RECORD
Friday, August 7, 2020 - Issue

Please forward billing to:
Carol Santamaria
18310 Gunpowder Road
Hampstead, MD 21074

410-830-9240

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 virtual hearing on the property identified herein as follows:

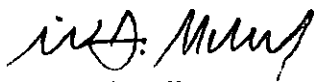
CASE NUMBER: 2020-0064-XA

18310 Gunpowder Road
Southside of Gunpowder Road, southwest of George's Creek Road
5th Election District – 3rd Councilmanic District
Legal Owner: Carol Santamaria

Special Exception to permit an animal boarding place and a commercial kennel. Variance to allow the animal boarding place and commercial kennel use (driveway) to be located 20 ft. to the nearest property line in lieu of the required 200 ft.

Hearing: Thursday, August 27, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

July 31, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0064-XA

18310 Gunpowder Road

Southside of Gunpowder Road, southwest of George's Creek Road

5th Election District – 3rd Councilmanic District

Legal Owner: Carol Santamaria

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A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Carol Santamaria, 18310 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 FRIDAY, AUGUST 7, 2020.

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11905924
Case #: 2020-0064-XA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0064-XA

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

8/7/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0064-XA

18310 Gunpowder Road

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5th Election District - 3rd Councilmanic District

Legal Owner: Carol Santamaria

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

au7

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
18310 Gunpowder Road; S/S of Gunpowder	*	OF ADMINISTRATIVE
Road, SW 570' c/line of George's Creek Road		
5 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Carol J. Santamaria		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2020-064-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.

RECEIVED

MAR 11 2020

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 11th day of March, 2020, 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: 2020-0064-XA

Property Address: 18310 GUNPOWDER ROAD

Property Description: 8.713 ACRES

Legal Owners (Petitioners): CAROL J. SANTAMARIA

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: CAROL J. SANTAMARIA

Company/Firm (if applicable): _____

Address: 18310 GUNPOWDER ROAD
HAMASTEAD MO 21074

Telephone Number: 410-830-9240



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

August 18, 2020

Bruce E. Doak,
3801 Baker Schoolhouse Road
Freeland MD 21053

RE: Case Number: 2020-0064-XA, 18310 Gunpowder 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 March 2, 2020. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Carol J. Santamaria 18310 Gunpowder Road Hampstead MD 21074

Date: 3/9/20

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

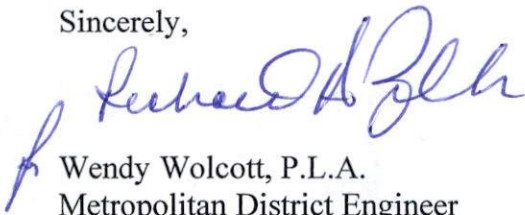
Dear Ms. Lewis:

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.

2020-0064-XA
Special Exception, Variance
Cvovl St. Santa maria
18310 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@mdot.maryland.gov).

Sincerely,



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: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 4/3/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-067

INFORMATION:

Property Address: 9106 Hinton Avenue, Lot 45
Petitioner: William J. Kurek, Judith A. Kurek
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a variance from Section § 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR), to permit a proposed dwelling on a lot of record of 50 feet wide in lieu of the required 55 feet and a special hearing to determine that vacant lot 45 is not merged with adjacent developed lot 44 known as 9106 Hinton Avenue.

The site is located on Hinton Avenue on the Millers Island Peninsula. The site is adjacent to the already-built-on Lot 44 that accompanies this request. The property is located within the Chesapeake Bay Critical Area and 100-Year Floodplain.

A site visit was conducted on 3/12/2020. Other than an existing driveway that serves both lots, there is no indication that the lots are merged as there is no encroachment of development from lot 44 onto lot 45.

It should be noted that the applicant must meet the Baltimore County 100-Year Flood Plain Site Plan Requirements. See the following list.

1. Show size and location of new construction and existing structures on the site and distances from lot lines.
2. Delineation of all flood hazard areas, floodway boundaries and flood zones, and the design flood elevation, as appropriate.
3. Base flood elevation.
4. Required flood protection elevation.
5. Elevation contour lines.
6. Elevation of the proposed lowest floor.
7. Structure location and orientation on lot so as to minimize flood damage.
8. Location of all public utilities and facilities, such as sewer, gas, electrical and water systems to be constructed to minimize or eliminate flood design.
9. Show drainage plan so as to reduce exposure to flood hazards.
10. Site plan shall be drawn to scale, no smaller than 1" = 30'.
11. Site plan shall be signed and sealed (original seal and signature) by a State of Maryland Registered Civil Engineer or Surveyor.

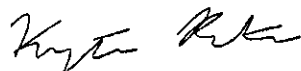
Date: 4/3/2020
Subject: ZAC # 20-067
Page 2

Note: In addition, base flood, design flood and flood protection elevations shall also be shown in a separate "note" section in addition to being shown on the actual site plan.

Assuming these requirements are met, the Department of Planning has no objection to special hearing and variance requests.

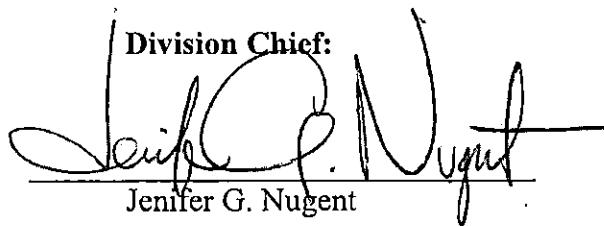
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Choose an item.
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Acting Administrator

Date: May 11, 2020

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. **2020-0064-XA**

Special Exception, Variance
Carol J. Santamaria
18310 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@mdot.maryland.gov).

Sincerely,



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

WW/RAZ

33 Hearings
Comments from
State
UAC 64-97

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/27/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-064

INFORMATION:

Property Address: 18310 Gunpowder Road
Petitioner: Carol J. Santamaria
Zoning: RC 2
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception under section 1A01.2.C.2 of the Baltimore County Zoning Regulations (BCZR) to permit an animal boarding place and a commercial kennel; and a variance from section 421.1 of the BCZR to allow the animal boarding place and commercial kennel use (driveway) to be located 20 feet to the nearest property line in lieu of the required 200 feet.

The area is a mix of agriculture and rural residential. The property is a panhandle lot and surrounded by residential properties. Gunpowder Road is a Baltimore County Master Plan 2020 designated scenic route.

The Department of Planning does not object to the requests pending the following issues are addressed:

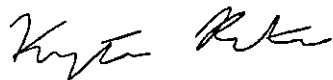
1. Landscaped screening should be provided along the proposed driveway from the neighboring properties. This should include a mix of vegetation at heights that will block the views of commercial traffic and sounds associated with the kennel.
2. According to the Comprehensive Manual of Design Guidelines, Page 178, Development Guidelines For All Scenic Routes and Significant Views, #5 states: Design and locate utilities, drainage structures, bridges, lighting, signage, fences, walls and street furniture to harmonize with the surroundings and to create the least visual impact." Signage shall be limited to a small advertising sign consisting of natural colors as to not distract from the scenic route.
3. Add the following note to Plan - Section 1A01.5 of the BCZR, "Any dwelling, business or use in or near an R.C.2 Zone may be subject to inconveniences or discomforts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements; except that during the period between 10:00 p.m. and sunrise as defined by the National Weather Service for sunrise on the particular day in the Baltimore area, an agricultural operation may not fire or otherwise discharge an air cannon or similar device that

releases a loud shotgun-like blast within 500 feet of an adjacent residential dwelling." A kennel is not considered an agricultural operation.

As of April 28, 2020 a revised plan was submitted to the Department of Planning addressing the above mentioned comments. At this time the Department is in support of the requests.

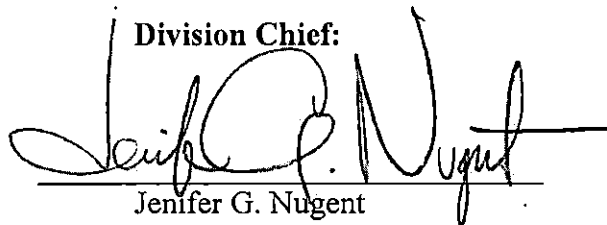
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Wiley
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Bruce Doak
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 12, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0064-XA
18310 Gunpowder Road
(Santamaria Property)

Zoning Advisory Committee Meeting of **March 16, 2020**.

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Delineation of a Forest Buffer Easement and its subsequent recordation by right of way plat will be required prior to Environmental Impact Review approval of any permit.

Any afforestation required to address Forest Conservation Regulations shall occur in the Forest Buffer Easement to the extent possible.

Ground Water Management must review any permits for a proposed boarding place and kennel, especially as relates to the septic system.

Reviewer: Glenn Shaffer and Dan Esser

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 4/17/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-064

INFORMATION:

Property Address: 18310 Gunpowder Road
Petitioner: Carol J. Santamaria
Zoning: RC 2
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception under section 1A01.2.C.2 of the Baltimore County Zoning Regulations (BCZR) to permit an animal boarding place and a commercial kennel; and a variance from section 421.1 of the BCZR to allow the animal boarding place and commercial kennel use (driveway) to be located 20 feet to the nearest property line in lieu of the required 200 feet.

The area is a mix of agriculture and rural residential. The property is a panhandle lot and surrounded by residential properties. Gunpowder Road is a Baltimore County Master Plan 2020 designated scenic route.

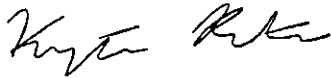
The Department of Planning does not object to the requests pending the following issues are addressed:

1. Landscaped screening should be provided along the proposed driveway from the neighboring properties. This should include a mix of vegetation at heights that will block the views of commercial traffic and sounds associated with the kennel.
2. According to the Comprehensive Manual of Design Guidelines, Page 178, Development Guidelines For All Scenic Routes and Significant Views, #5 states: Design and locate utilities, drainage structures, bridges, lighting, signage, fences, walls and street furniture to harmonize with the surroundings and to create the least visual impact." Signage shall be limited to a small advertising sign consisting of natural colors as to not distract from the scenic route.
3. Add the following note to Plan - Section 1A01.5 of the BCZR, "Any dwelling, business or use in or near an R.C.2 Zone may be subject to inconveniences or discomforts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements; except that during the period between 10:00 p.m. and sunrise as defined by the National Weather Service for sunrise on the particular day in the Baltimore area, an agricultural operation may not fire or otherwise discharge an air cannon or similar device that

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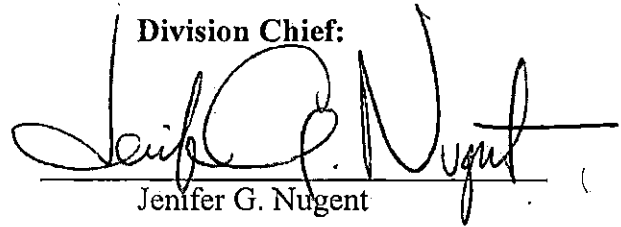
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Wiley
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Bruce Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

§ 502.1. - Conditions determining granting of special exception.

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;

[Bill No. 45-1982]

- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;

[Bill No. 45-1982]

- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor

[Bill No. 45-1982]

- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 Zone, and for consideration of a solar facility use under Article 4F, the inclusion of the R.C. 3, R.C. 6, and R.C. 8 Zones.

[Bill Nos. 74-2000; 37-2017]



GIS AERIAL PHOTO

PETITIONER'S

EXHIBIT NO.

2

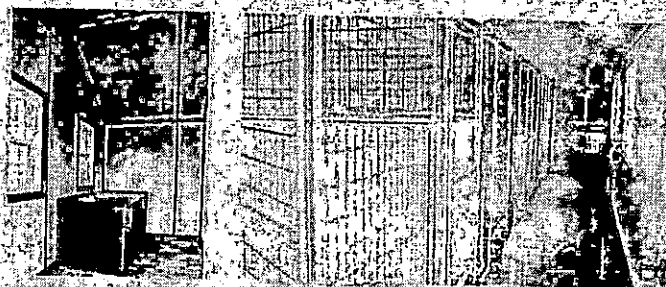


Traditional

15x36 Kennel

- 6x11 Lobby
- 7 Runs
- Almond Vinyl Siding
- Red Trim
- Charcoal Shingles

Shown with optional 11 lite arch doors, vinyl siding, raised panel shutters, turbine vents, and 6 ga welded wire panels.



6x11 Lobby	6x6 Dog Run	4x6 Dog Run	4x6 Dog Run	4x6 Dog Run	4x6 Dog Run	4x6 Dog Run	4x6 Dog Run
	5x6 Box	4x5 Box	4x5 Box	4x5 Box	4x5 Box	4x5 Box	4x5 Box
4x6 Porch	4' Feed Alley						



PETITIONER'S

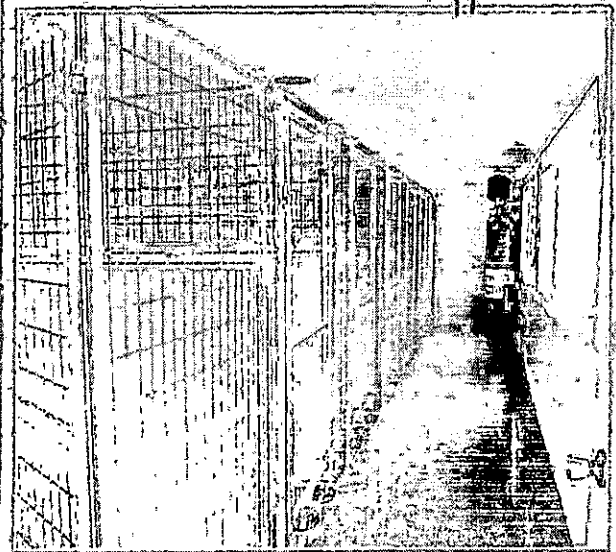
EXHIBIT NO.

3

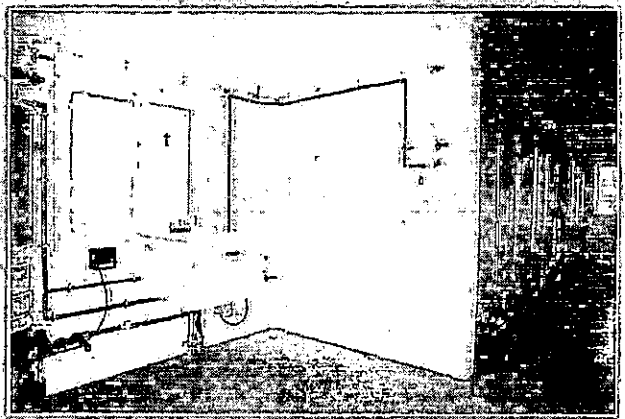


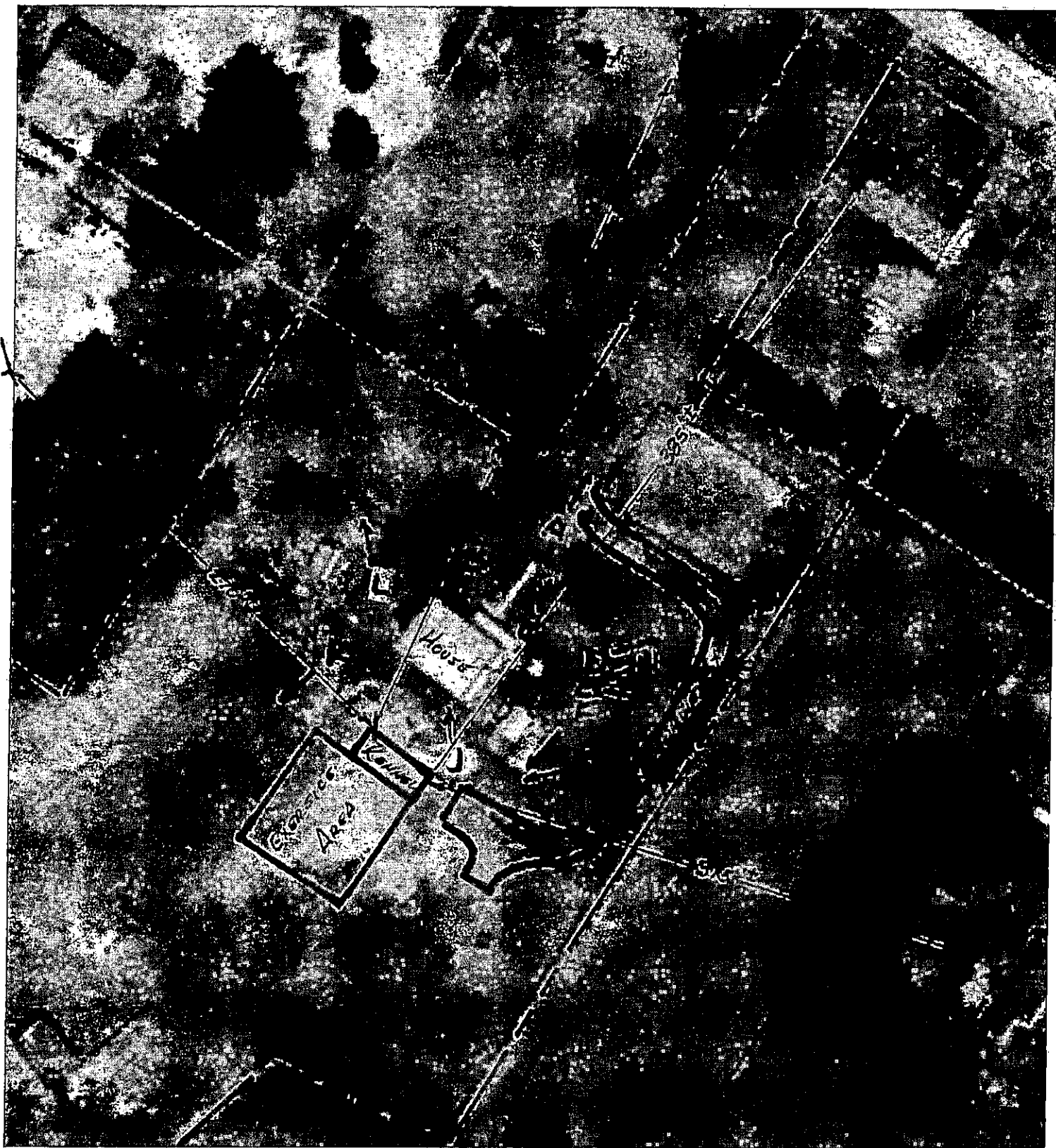
Interior View Of 15x36 7-Run kennel with 6x11 lobby. Showing optional 6 gauge welded wire panels.

7 Run



Interior View Of 10x28 5-Run kennel with 3' overhang with 10' Add-on runs. Showing welded wire panels and exhaust fan.





PLAN TO ACCOMPANY SITE PHOTOS

1"=70'

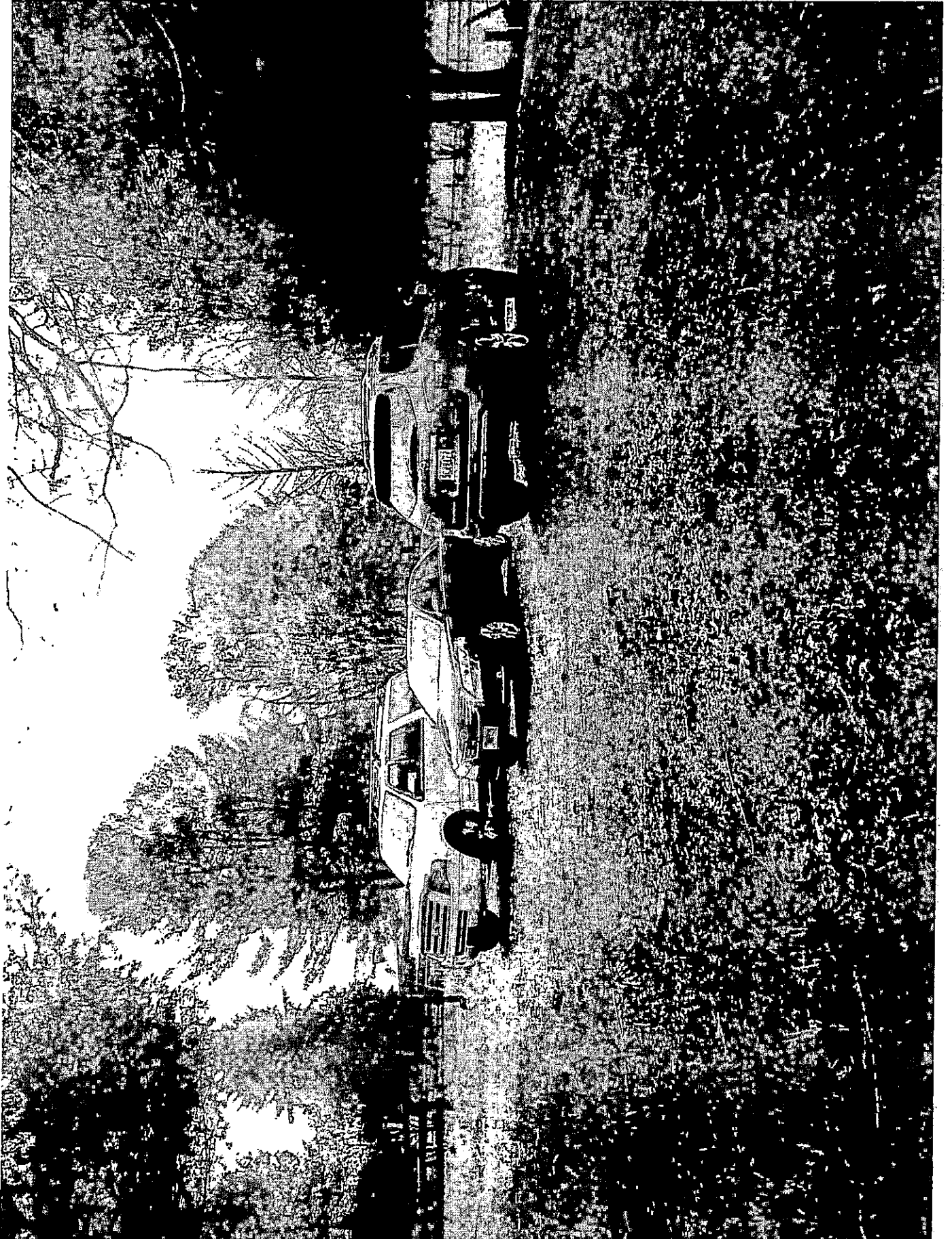
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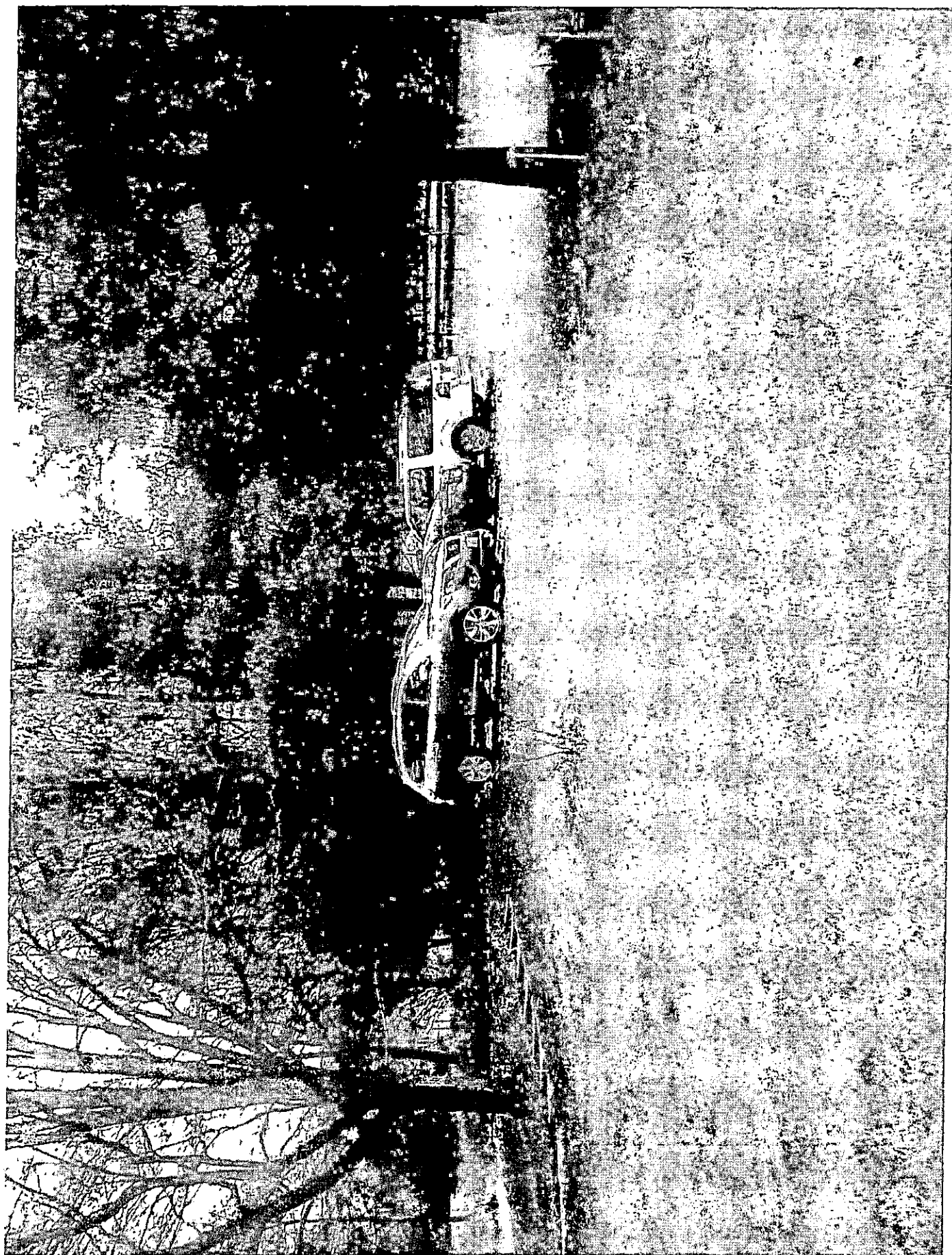
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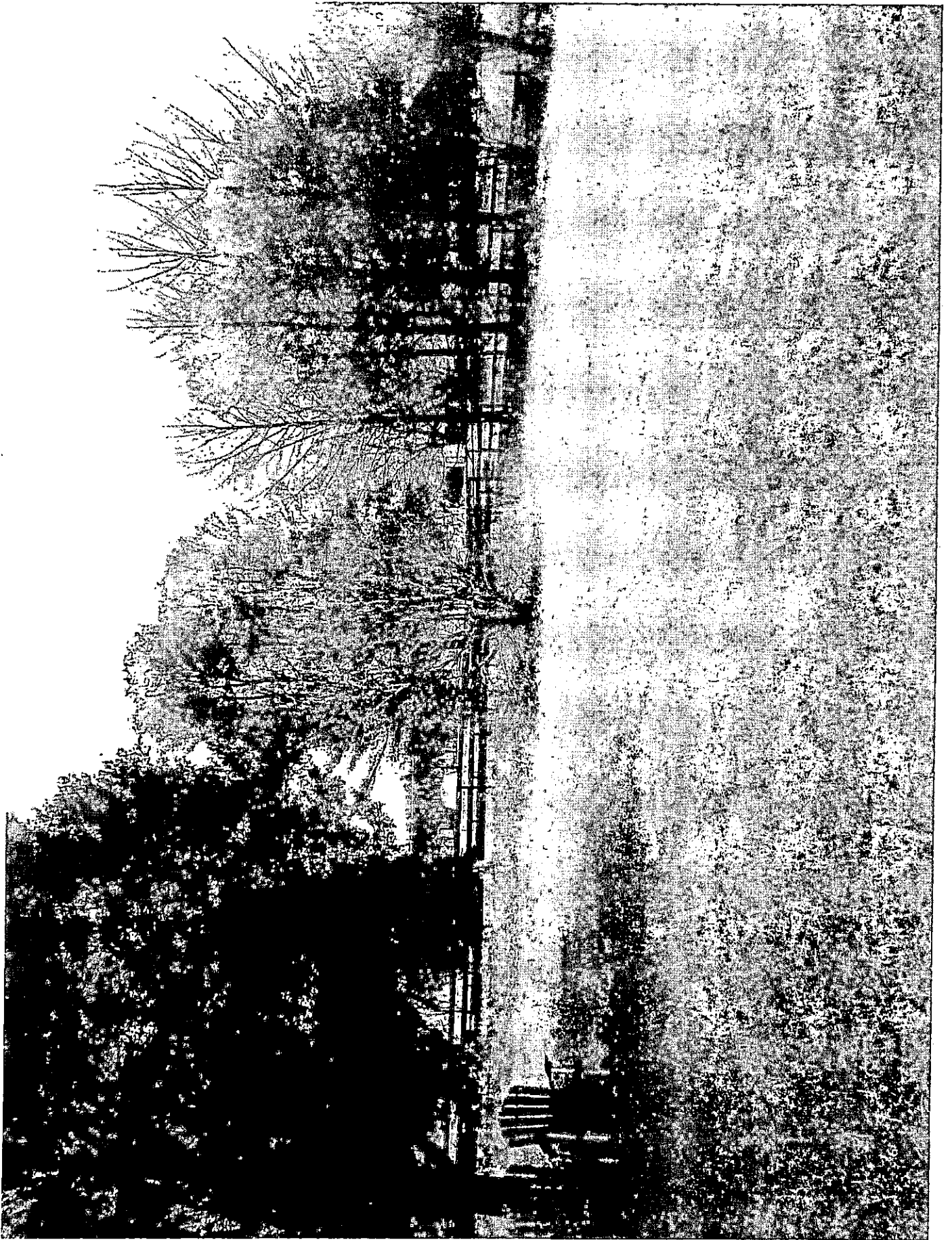
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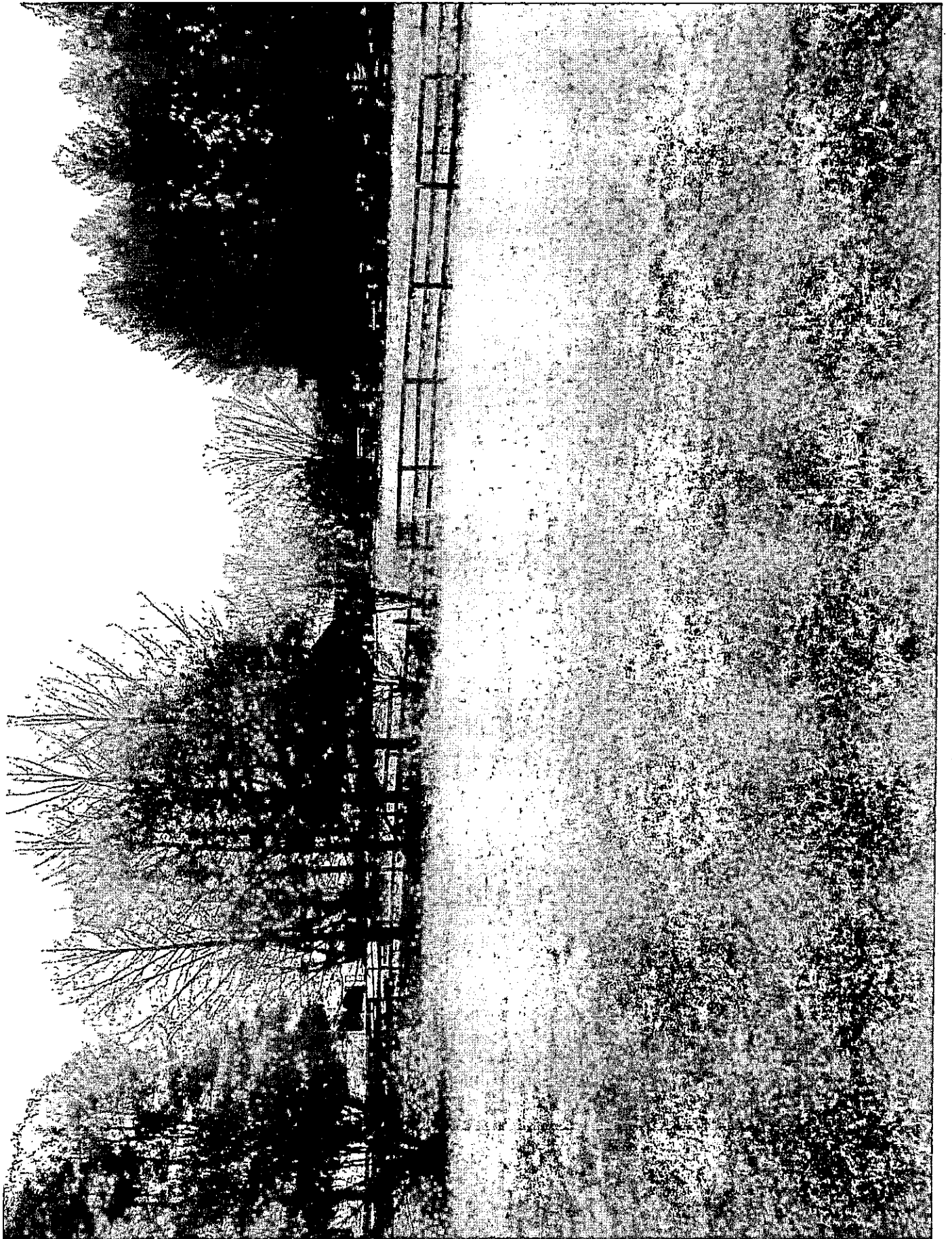
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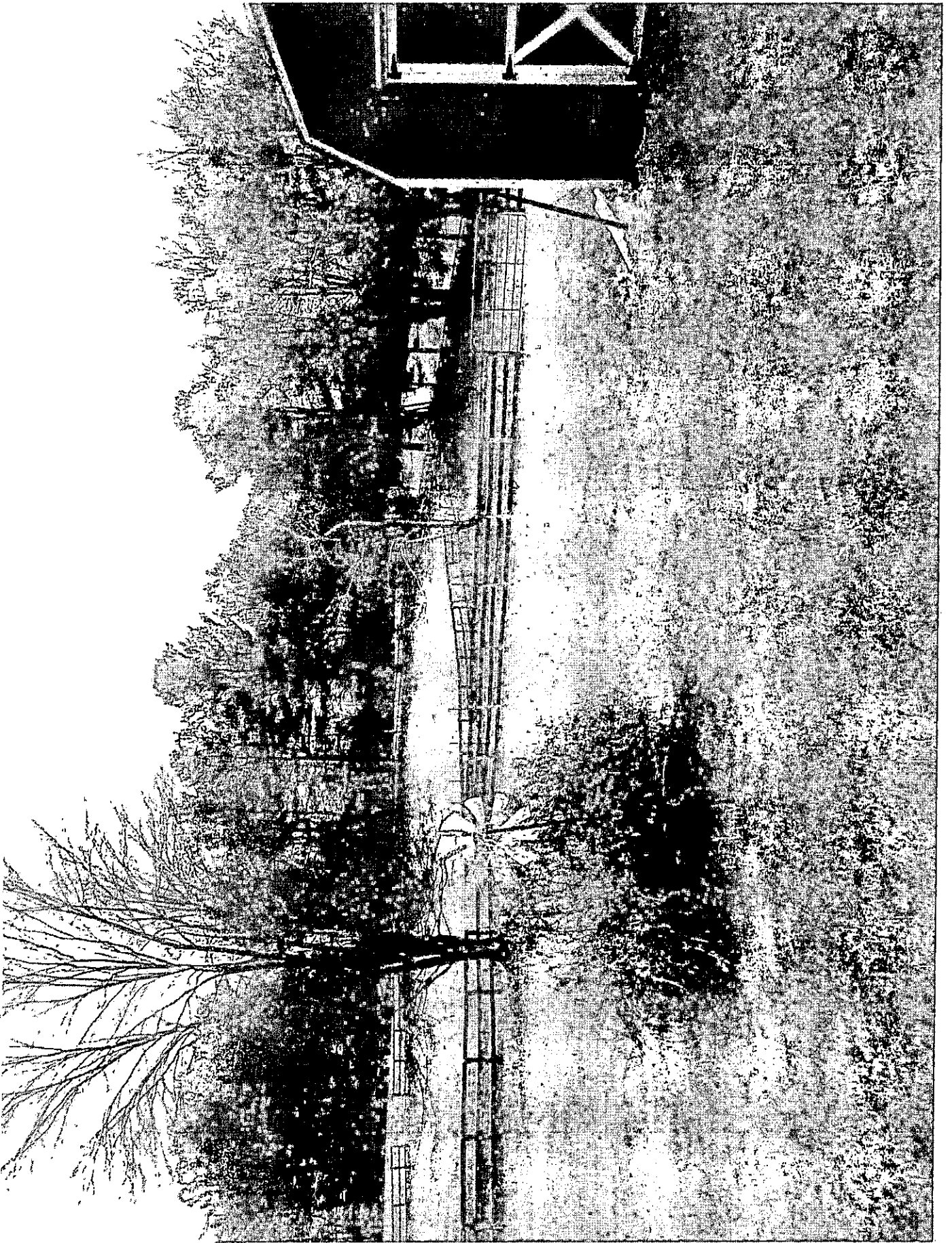


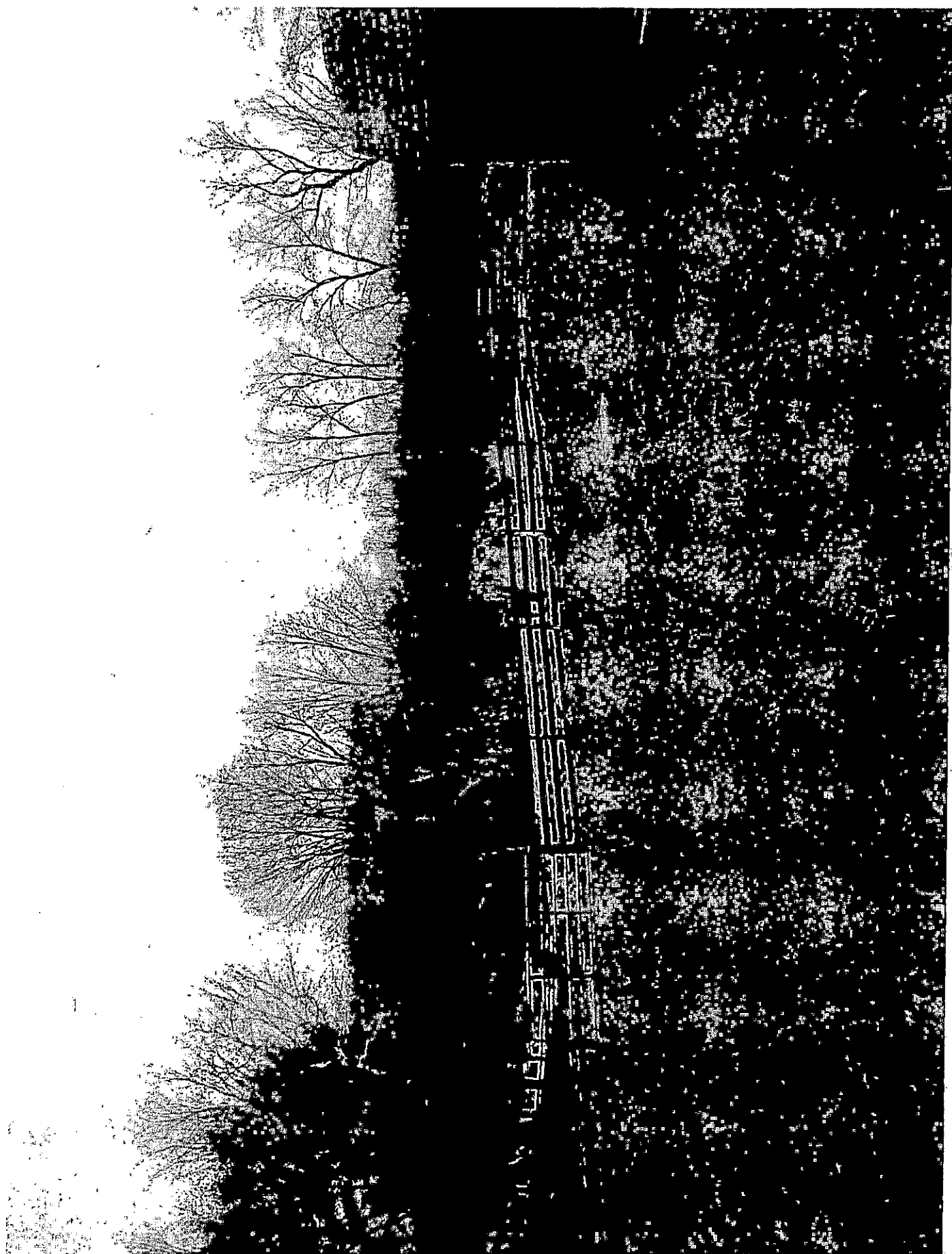


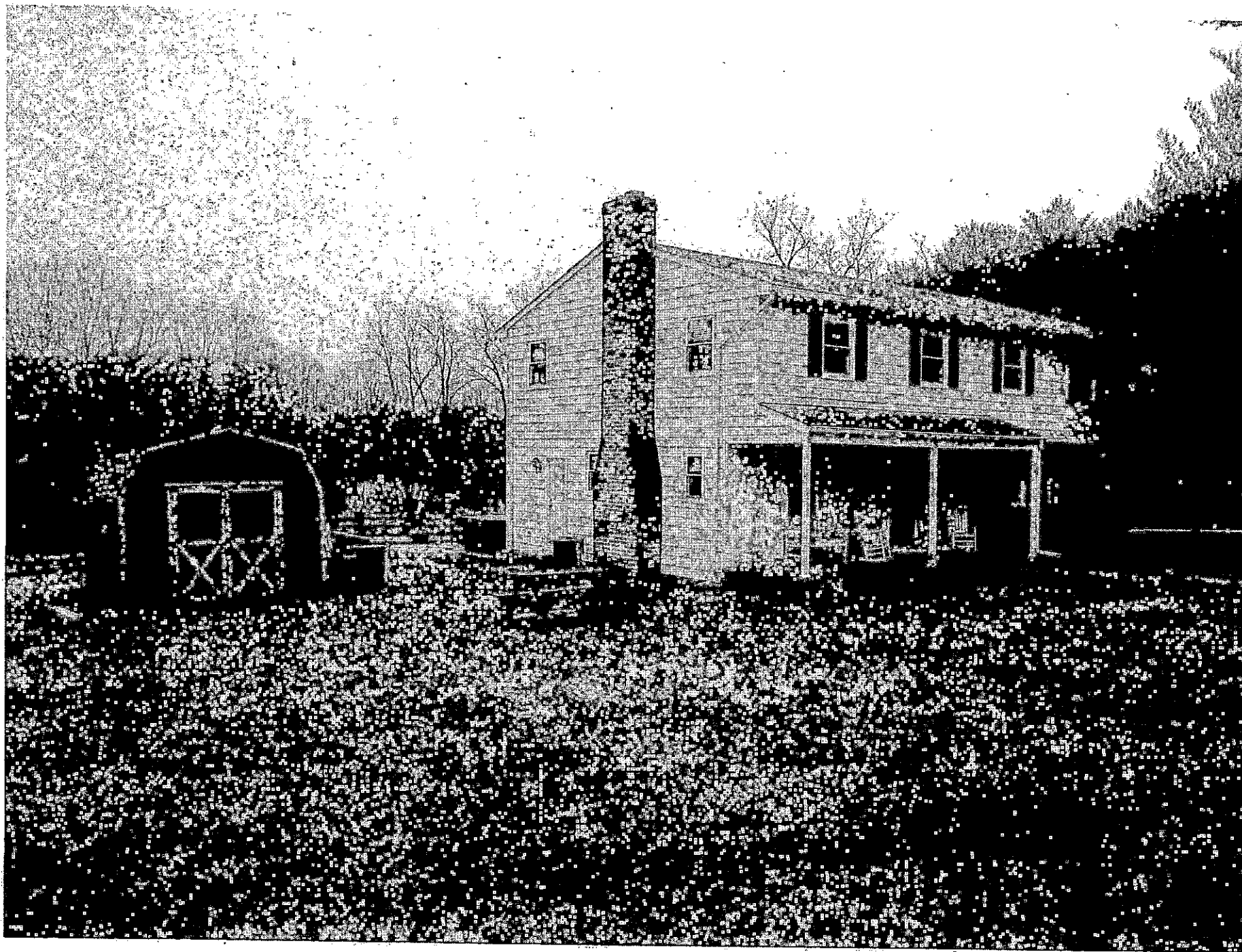








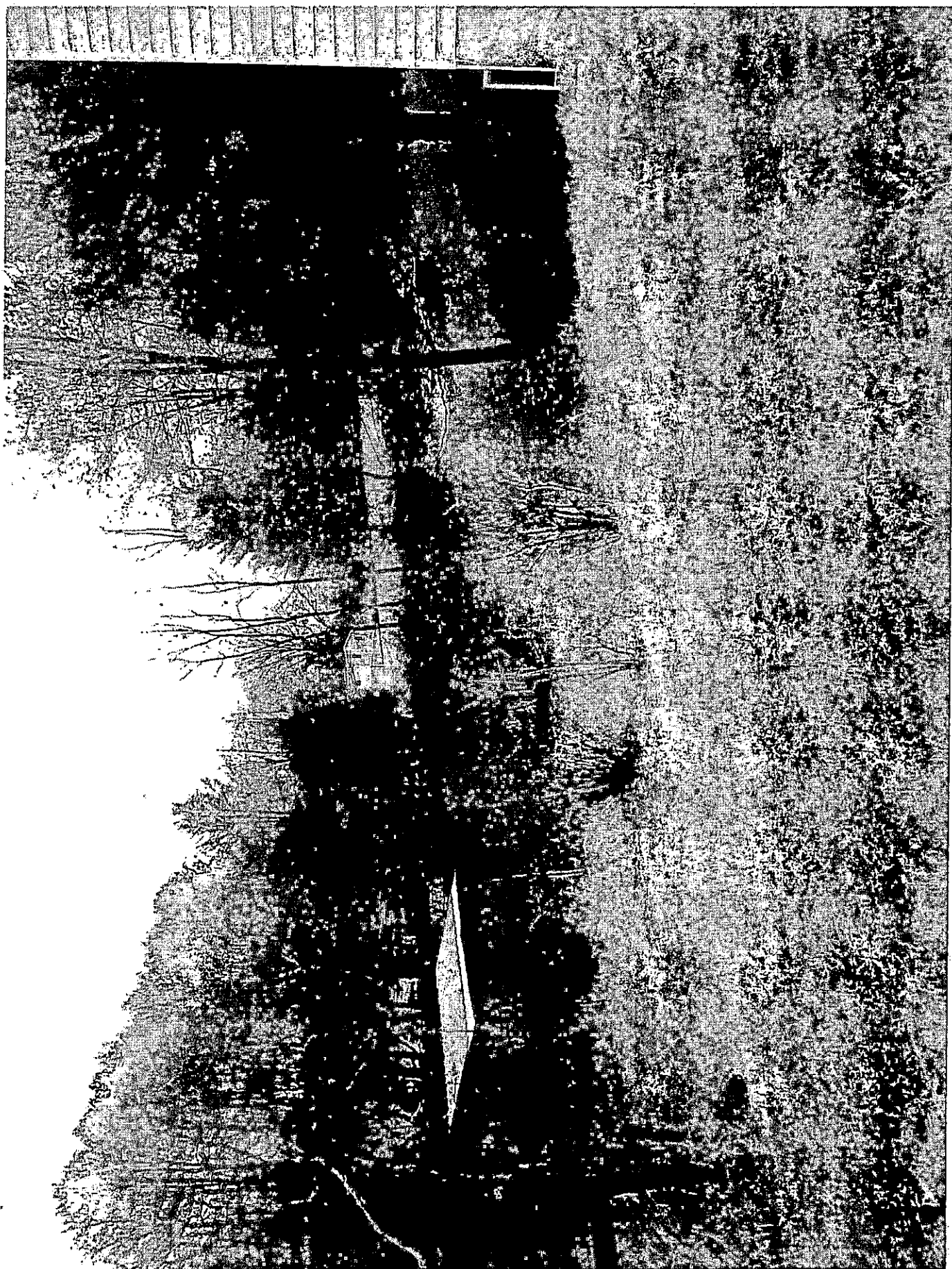






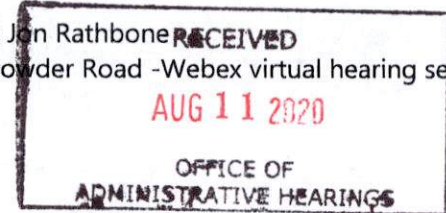






Donna Mignon

From: Heather Saul <cheffhsaul@yahoo.com>
Sent: Friday, August 7, 2020 9:10 PM
To: Donna Mignon; Administrative Hearings; Jon Rathbone
Subject: [SUSPICIOUS MESSAGE] Re: 18310 Gunpowder Road -Webex virtual hearing set for August 27th at 10:00 a.m.



Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This message from cheffhsaul@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

WARNING:

Your email security system has determined the message below from Heather Saul (cheffhsaul@yahoo.com) may be a potential threat. The sender may trick victims into passing bad checks on their behalf.

If you do not know the sender or cannot verify the integrity of the message, please do not respond or click on links in the message. Depending on the security settings, clickable URLs may have been modified to provide additional security.

If you have any questions or concerns, please contact the OIT Service Desk at 410-887-8200 .

To Whom it may concern,
RE: 18301 Gunpowder Rd, Hampstead MD 21074
Case No: 2020-0064-XA

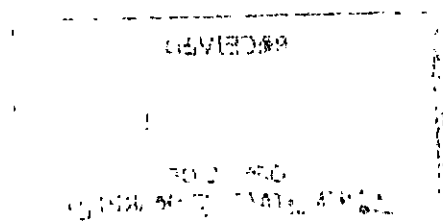
We strongly object to the variance to all the animal boarding place and commercial kennel because there is only 20' distance to the nearest property line, not the allowed 200'. We are also greatly concerned that the noise of dogs barking will be disruptive to the neighborhood's quiet peace and enjoyment. We are an allowed equine training facility directly across the street and are concerned that dogs barking would unnerve the horses, as dogs are their natural predator. We will try to participate in the virtual hearing; however, due to our remote location, internet reception is spotty and the Web-X session may not run or freeze up.

Respectfully,
Heather & Jonathan Rathbone
18301 Gunpowder Rd, Hampstead, MD 21074

PROTESTANT' S

EXHIBIT NO. 1

On Friday, August 7, 2020, 02:47:17 PM EDT, Donna Mignon <dmignon@baltimorecountymd.gov> wrote:



Good Afternoon Heather,

Per our telephone conversation, it is my understanding that you would like to speak at the virtual hearing set for August 27, 2020 at 10:00 a.m., regarding the above referenced matter.

It is my further understanding, that other neighbors are also opposing this as well. If they wish to participate in the hearing we will need any full names and email addresses so our office can send an invitation for the virtual hearing. This must be done 48 hours before the hearing.

If they cannot participate via the virtual WebEx hearing and would like to send an email regarding their opposition. They can email to us at :

administrativehearings@baltimorecountymd.gov

If you have any further questions or concerns, please feel free to contact our office at 410-887-3368.

Donna Mignon, Legal Assistant

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

Donna Mignon, Legal Assistant

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

COVID-19

Stay Home • Wash Your Hands
Avoid Touching Your Face
Disinfect Surfaces Frequently

STOP THE SPREAD • FLATTEN THE CURVE

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Margaret Carter
18224 Gunpowder Rd.
Hampstead, Md. 21074

410 790 4375

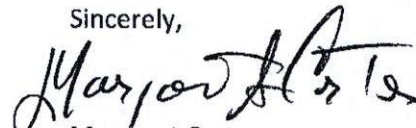
To the Office of Administrative Hearings,

Regarding Case # 2020-0064-xa

Good Afternoon,

My name is Margaret Carter, and I live at 18224 Gunpowder Rd. The proposed commercial dog kennel would be almost directly behind my property, and the proposed driveway for the kennel would run very close to my property. In fact, it is my understanding that the driveway's proximity to my property is part of the reason the exception is needed. I am concerned about traffic and noise from the proposed kennel that would impact my family's quality of life – and the resale value of my property. I have received no legally binding reassurance that the kennel will not become a nuisance for my family and for my neighbors. Therefore, until much more detailed information is available, I am opposed to the exception being sought by the Santamarias.

Sincerely,


Margaret Carter



PROTESTANT' S

EXHIBIT NO.

2

Donna Mignon

From: Administrative Hearings
Sent: Wednesday, August 26, 2020 3:50 PM
To: Meg Carter
Subject: RE: letter of opposition Case #2020-0064-xa Gunpowder Rd. Zoning hearing 8/27/2020

Dear Ms. Carter,

This is acknowledgement of your email and letter and our office will make sure the Judge review's this. Thank you.
Have a great evening.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Meg Carter <supportbroker@meggcarter.com>
Sent: Wednesday, August 26, 2020 3:45 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: letter of opposition Case #2020-0064-xa Gunpowder Rd. Zoning hearing 8/27/2020

CAUTION: This message from supportbroker@meggcarter.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please see attached. And please acknowledge receipt. Sorry this did not come earlier.
Margaret Carter 410 790 4375

--

Meg Schuster Carter
Self-Directed Advocacy Network of Maryland
Participant Choice and Control of Services

Phone: 410-790-4375
Fax: 1-410-833-1100



Donna Mignon

From: Meg Carter <supportbroker@meggcarter.com>
Sent: Wednesday, August 26, 2020 3:45 PM
To: Administrative Hearings
Subject: letter of opposition Case #2020-0064-xa Gunpowder Rd. Zoning hearing 8/27/2020
Attachments: 5A Case #2020-0064-xa08262020.pdf

CAUTION: This message from supportbroker@meggcarter.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

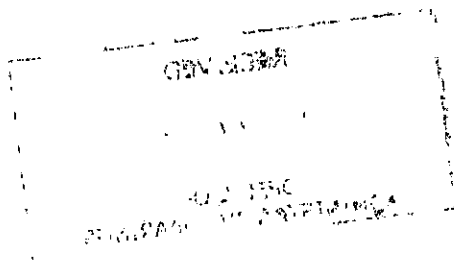
Please see attached. And please acknowledge receipt. Sorry this did not come earlier.
Margaret Carter 410 790 4375

--

Meg Schuster Carter
Self-Directed Advocacy Network of Maryland
Participant Choice and Control of Services

Phone: 410-790-4375
Fax: 1-410-833-1100





GENERAL SITE INFORMATION

1. Ownership: Carol J. Santamaria
18310 Gunpowder Road Hagerwood MD 21074
2. Address: 18310 Gunpowder Road
3. Deed references: REC 38857 389 Lot 3 "Middland - Section 3" PB ENE & 28/112
4. Area: 8.773 acres (per PA 291-112)
5. Tax Map / Parcel: Tax account #: 13 / 20 / 17-00-00706
6. Election District: 5 Councilmanic District: 3
7. ASR Map: 41181W GSI file: 01081 Position shown: 1210W32
8. Schools: FECH District ES Hagerwood Hagerwood HS
9. The boundary shown herein is from the deed recorded in the Land Records of Baltimore County. All other information shown herein was taken from Baltimore County GIS file 07582 and the information provided by Baltimore County on the Internet.
10. Improvements: Single family dwelling & parking lot. The existing dwelling and parking lot will remain.

OFFICE OF ZONING

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

Parking Calculations:

Required parking spaces: 2
Parking spaces provided on site: 2

R.C. 2 Setbacks for Residential Buildings:

Front: 75 feet from the centerline of the adjoining road or street right of way
Side / Rear: 35 feet to the property line

ENVIRONMENTAL IMPACT

- Waterbody: Potomac River URB land type:
1. The existing dwelling is currently serviced by a private well and septic system.
 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.
 5. The solid waste from the kennel will be bagged and taken away each week.

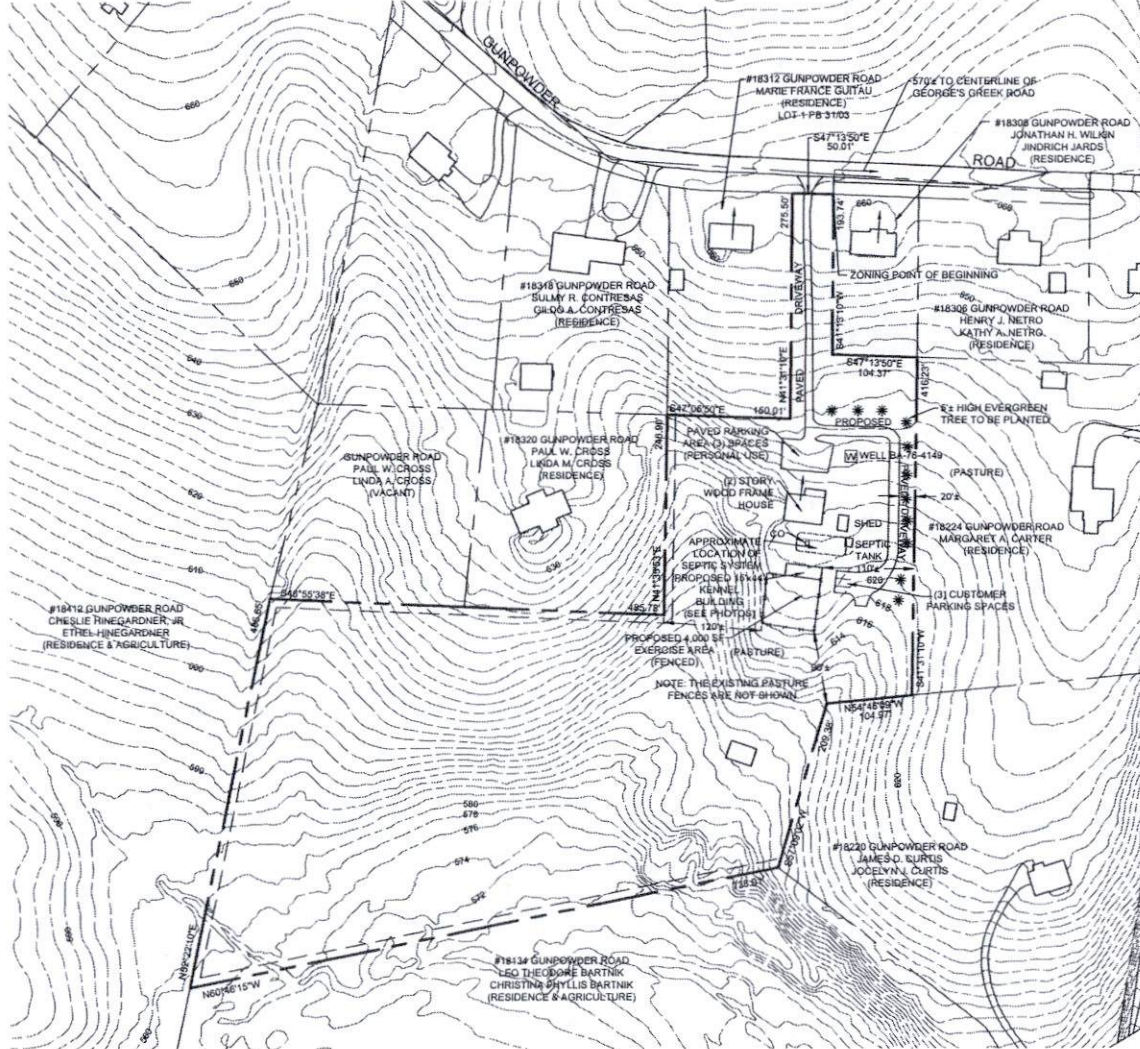
DEPARTMENT OF PLANNING

Regional Planning District: Potomac District Code: 301

1. The subject dwelling is not historic. The subject property is not in a historic district.
2. Section 1401.5 of the BCZM: "Any dwelling, business or use in or near an RC 2 Zone may be subject to inconveniences or disconcerts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operation of machinery of any kind during any 24-hour period (including weekends), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements; except that during the period between 10:00 p.m. and sunrise as defined by the National Weather Service for sunrise on the particular day in the Baltimore area, an agricultural operation may not fire or otherwise discharge an air cannon or similar device that releases a loud shogun; the least within 500 feet of an adjacent residential dwelling. A kennel is not considered an agricultural operation."

PROPOSED DEVELOPMENT

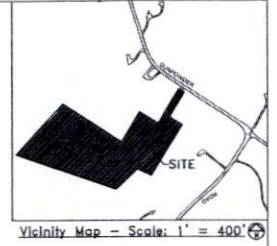
To have a kennel for up to 10 dogs.



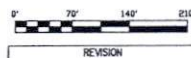
BUILDING ELEVATION



BUILDING ELEVATION



Vicinity Map - Scale: 1" = 400'



REVISION

Bruce E. Doak Consulting, LLC Land Use Expert and Surveyor 3801 Baker Schoolhouse Road Pikesville, MD 21093 P 410-200-5528 F 410-219-4900 bdoak@bruceedoakconsulting.com	
PLAN TO ACCOMPANY A ZONING PETITION REQUEST FOR STANTAMARA PROPERTY #18310 GUNPOWDER ROAD BALTIMORE COUNTY, MARYLAND 5th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT	
Date: 4/23/2020	Scale: 1" = 70'

PETITIONER'S

EXHIBIT NO. 1

8-27-20

10 AM

Debra Wiley

2020-6064-XA

From: Heather Saul <cheffhsaul@yahoo.com>
Sent: Sunday, August 30, 2020 7:36 AM
To: Administrative Hearings
Subject: request for copy of judge's decision

CAUTION: This message from cheffhsaul@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Regarding the virtual hearing on August 27th for 18310 Gunpowder RD with property owner Santamaria, we request a copy of the decision be mailed to:

Heather Rathbone
18301 Gunpowder Rd
Hampstead, MD 21074.
Thank you!

Heather Saul Rathbone
www.ceremonybyHeatherSaul.com
2013 Bride's Choice Award, Wedding Wire

Debra Wiley

From: Donna Mignon
Sent: Saturday, August 29, 2020 5:42 PM
To: Heather Rathbone
Cc: Administrative Hearings
Subject: RE: 18310 Gunpowder Road -Webex virtual hearing set for August 27th at 10:00 a.m.

Hi Heather,

As soon as the Judge makes a decision, we can mail a copy of the decision.

Please provide our office with any mailing addresses that would like a copy of the Opinion and Order.

Please send to administrativehearings@baltimorecountymd.gov

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Heather Rathbone <chefhsaul@yahoo.com>
Sent: Friday, August 28, 2020 9:20 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 18310 Gunpowder Road -Webex virtual hearing set for August 27th at 10:00 a.m.

CAUTION: This message from chefhsaul@yahoo.com originated from a non Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna,
Our community would like to know the judge's decision.
Respectfully,
Heather

Sent from my iPhone

On Aug 10, 2020, at 8:11 AM, Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

You should receive an email for the invite at from our office either from myself or
dwiley@baltimorecountymd.gov.

It should say web ex meeting, I am pretty sure...

From: Heather Rathbone <chefhsaul@yahoo.com>
Sent: Friday, August 7, 2020 7:22 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 18310 Gunpowder Road -Webex virtual hearing set for August 27th at 10:00 a.m.

CAUTION: This message from chefhsaul@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you, Donna. I would point where I receive the invite link for the meeting?

Sent from my iPhone

On Aug 7, 2020, at 2:47 PM, Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Good Afternoon Heather,

Per our telephone conversation, it is my understanding that you would like to speak at the virtual hearing set for August 27, 2020 at 10:00 a.m., regarding the above referenced matter.

It is my further understanding, that other neighbors are also opposing this as well. If they wish to participate in the hearing we will need any full names and email addresses so our office can send an invitation for the virtual hearing. This must be done 48 hours before the hearing.

If they cannot participate via the virtual WebEx hearing and would like to send an email regarding their opposition. They can email to us at :
administrativehearings@baltimorecountymd.gov

If you have any further questions or concerns, please feel free to contact our office at 410-887-3368.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

COVID-19

Stay Home • Wash Your Hands
Avoid Touching Your Face
Disinfect Surfaces Frequently

STOP THE SPREAD • FLATTEN THE CURVE

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
donna mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
henry ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Christina Bartnick	lbluehollow11@comcast.net	1-	New York Time	English	U.S.
Christina Bartnick	bluehollow11@comcast.net	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.
Jonathan Wilkin	jaydubya72@gmail.com	1-	New York Time	English	U.S.
Kathy Netro	kanetro58@gmail.com	1-	New York Time	English	U.S.
Kathy Netro	knnetro@comcast.net	1-	New York Time	English	U.S.
Kathy Netro	khnetro@comcast.net	1-	New York Time	English	U.S.
Linda A. Cross	crosslma@yahoo.com	1-	New York Time	English	U.S.
Margaret Carter	supportbroker@meggcarter.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

OK

Donna Mignon

From: Donna Mignon
Sent: Wednesday, August 26, 2020 3:32 PM
To: Debra Wiley
Cc: 'khnetro@comcast.net'
Subject: 18310 Gunpowder Road 2020-0064X

Hi Deb,
Can you please resend an invitation to Ms. Netro at:
khnetro@comcast.net
The email I gave your earlier I wrote it down incorrectly.

Thanks so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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donna mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
henry ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Christina Bartnick	lbluehollow11@comcast.net	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.
Jonathan Wilkin	jaydubya72@gmail.com	1-	New York Time	English	U.S.
Kathy Netro	kanetro58@gmail.com	1-	New York Time	English	U.S.
Kathy Netro	knnetro@comcast.net	1-	New York Time	English	U.S.
Kathy Netro	khnetro@comcast.net	1-	New York Time	English	U.S.
Linda A. Cross	crosslma@yahoo.com	1-	New York Time	English	U.S.
Margaret Carter	supportbroker@meggcarter.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

OK

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)
[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>donna mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>henry ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Paul M. Mayhew</u> (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>bruce e. doak</u>	bdoak@bruceedoakconsulting.com	1-	English	New York Time	U.S.
☐	<u>carol j. santamaria</u>	ajs101903@aol.com	1-	English	New York Time	U.S.
☐	<u>Christina Bartnick</u>	lbluehollow11@comcast.net	1-	English	New York Time	U.S.
☐	<u>Heather Saul</u>	chefhsaul@yahoo.com	1-	English	New York Time	U.S.
☐	<u>James Curtis</u>	curtisjim@comcast.net	1-	English	New York Time	U.S.
☐	<u>Jonathan Wilkin</u>	jaydubya72@gmail.com	1-	English	New York Time	U.S.
☐	<u>Kathy Netro</u>	kanetro58@gmail.com	1-	English	New York Time	U.S.
☐	<u>Kathy Netro</u>	knnetro@comcast.net	1-	English	New York Time	U.S.
☐	<u>Linda A. Cross</u>	crosslma@yahoo.com	1-	English	New York Time	U.S.
☐	<u>Margaret Carter</u>	supportbroker@meggcarter.com	1-	English	New York Time	U.S.
☐	<u>Mariefrance Guiteau</u>	mfguiteau@aol.com	1-	English	New York Time	U.S.

[Invite](#)
[Select All](#)
[Clear All](#)
[Delete](#)
[Cancel](#)

New Panelist

Full name: (required)

Email address: (required)

Country/Region: Number (with area/city code):

Phone number:

Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼

Language: English ▼

See attached

Locale: U.S. ▼

- ☐ Add new panelist in my address book
- ☐ Invite as alternate host

Add to Invitation List

Vicki Nevy

To: Meg Carter
Subject: RE: Please contact me re Zoning hearing tomorrow for Gunpowder Rd.

Ms. Carter,

I'm not familiar with the hearing you are referring to.
Zoning hearings are

From: Meg Carter <supportbroker@meggcarter.com>

Sent: Wednesday, August 26, 2020 2:34 PM

To: Vicki Nevy <vnevy@baltimorecountymd.gov>

Subject: Please contact me re Zoning hearing tomorrow for Gunpowder Rd.

CAUTION: This message from supportbroker@meggcarter.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Afternoon Ms. Nevy. I signed up for the hearing tomorrow on the Santamaria property, but I would like to know more about the format of the virtual hearing. I am not certain about how to sign in and whether I need to download a special app to do so. And for instance, are you accepting letters of concern, and if we oppose the exception, are we required to speak at the hearing? If possible, please give me a call, Margaret Carter 410 790 4375

--

Meg Schuster Carter
Self-Directed Advocacy Network of Maryland
Participant Choice and Control of Services

Phone: 410-790-4375
Fax: 1-410-833-1100

Margaret Carter

*Added
8-26-20
~~8-26-20~~
3:05pm*

Panelist List

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Kathy Netro	knnetro@comcast.net	1-	New York Time	English	U.S.
Linda A. Cross	crosslma@yahoo.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

OK

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Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
Resent → 8-26 per her request. carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Christina Bartnick	lbluehollow11@comcast.net	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
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Kathy Netro	knnetro@comcast.net	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

Debra Wiley

From: Donna Mignon
Sent: Tuesday, August 25, 2020 9:47 AM
To: Debra Wiley
Subject: 18310 Gunpowder Road - 2020-0064XA

Hi Deb,
Can you please send an invite to:

Christina Bartnick – lbluehollow11@comcast.net ✓

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Panelist List

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Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
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Jonathan Wilkin	jaydubya72@gmail.com	1-	New York Time	English	U.S.
Kathy Netro	kanetro58@gmail.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

OK

Debra Wiley

2020-0064-XA

8-27-20
10 Am

From: Kathy Netro <kanetro58@gmail.com>
Sent: Monday, August 24, 2020 11:37 AM
To: Debra Wiley
Subject: Hearing

CAUTION: This message from kanetro58@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I would like to register for the hearing on August 27th for 18310 Gunpowder Road. Kathy Netro -18300 Gunpowder Road.

Thanks, Kathy

Sent from my iPhone

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
donna mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
henry ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
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James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.
Jonathan Wilkin	jaydubya72@gmail.com	1-	New York Time	English	U.S.
Kathy Netro	kanetro58@gmail.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

Debra Wiley

From: Donna Mignon
Sent: Tuesday, August 18, 2020 10:46 AM
To: Debra Wiley
Subject: Case No: 2020-0064 XA - 18310 Gunpowder Road

Hi Deb,

Please invite Jonathan Wilkin – jaydubya72@gmail.com to the hearing that is set for 8/27/2020 at 10:00 a.m.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

8/27 10AM
2020 0064-XA

✓ done

8/18
1:01
pm

Debra Wiley

From: Donna Mignon
Sent: Tuesday, August 11, 2020 1:38 PM
To: Debra Wiley
Subject: 18312 Gun Powder Road
10

Hi Deb,

Can you please send an invitation to : Mariefrance Guiteau her email address is : mfguiteau@aol.com

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.
Jonathan Wilkin	jaydubya72@gmail.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 05 Account Number - 1700007606		
Owner Information		
Owner Name:	SANTAMARIA CAROL J	Use: RESIDENTIAL
Mailing Address:	18310 GUNPOWDER RD HAMPSTEAD MD 21074-2909	Principal Residence: YES Deed Reference: /38865/ 00389
Location & Structure Information		
Premises Address:	18310 GUNPOWDER RD HAMPTSTEAD 21074-2909	Legal Description: 8.713 18310 GUNPOWDER RD HOLLISLAND
Map: 0015	Grid: 0015	Parcel: 0020
Neighborhood: 5030002.04	Subdivision: 0000	Section: 3
Block: 3	Lot: 3	Assessment Year: 2020
		Plat No: 0039/ 0112
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1977	2,655 SF	8.7100 AC
Property Land Area	County Use	
04		
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	4	2 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of 01/01/2020
Land:	135,500	135,500
Improvements	267,300	303,900
Total:	402,800	439,400
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
		415,000
		427,200
Transfer Information		
Seller: FABISZAK LORRAINE	Date: 04/19/2017	Price: \$425,000
Type: ARMS LENGTH IMPROVED	Deed1: /38865/ 00389	Deed2:
Seller: FAHNESTOCK MICHAEL E	Date: 08/24/2006	Price: \$480,000
Type: NON-ARMS LENGTH OTHER	Deed1: /24363/ 00001	Deed2:
Seller: BOYCE JOHN C G,JR	Date: 12/27/1976	Price: \$19,500
Type: ARMS LENGTH IMPROVED	Deed1: /05710/ 00795	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, Director
Department of Permits,
Approvals & Inspections

July 31, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0064-XA

18310 Gunpowder Road

Southside of Gunpowder Road, southwest of George's Creek Road

5th Election District – 3rd Councilmanic District

Legal Owner: Carol Santamaria

Special Exception to permit an animal boarding place and a commercial kennel. Variance to allow the animal boarding place and commercial kennel use (driveway) to be located 20 ft. to the nearest property line in lieu of the required 200 ft.

Hearing: Thursday, August 27, 2020 at 10:00 a.m. ✓

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Carol Santamaria, 18310 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 FRIDAY, AUGUST 7, 2020.



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 18310 GUNPOWDER ROAD which is presently zoned RC2
 Deed References: JLE 38865/389 10 Digit Tax Account # 1700007606
 Property Owner(s) Printed Name(s) CAROL J. SANTAMARIA

(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)
SEE ATTACHED PAGE

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 proscribed 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 bound 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):

CAROL J. SANTAMARIA
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 [Signature] Signature #2 _____
18310 GUNPOWDER ROAD HAMPSHIRE MD
 Mailing Address _____ City _____ State _____
 Zip Code 21079 Telephone # 410-830-9240 Email Address AJS101903@AOL.COM

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC
 Name - Type or Print _____
 Signature [Signature]
3801 BAKER SCHOOLHOUSE ROAD FREDLAND MD
 Mailing Address _____ City _____ State _____
 Zip Code 21053 Telephone # 410-419-4906 Email Address BDOAK@BRUCEDOAKCONSULTING.COM

CASE NUMBER 2020-0064-YA Filing Date 3/2/20 Do Not Schedule Dates: _____ Reviewer GR

AM HEARING ONLY

REV. 10/4/11

ZAC AGENDA

Case Number: 2020-0064-XA

Reviewer: Gary Hucik

Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: SPECIAL EXCEPTION, VARIANCE

Legal Owner: Carol J. Santamaria

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 5 **Council Dist:** 3

Property Address: 18310 GUNPOWDER RD

Location: South side of Gunpowder Road South west 570 feet to the center line of George's Creek Road.

Existing Zoning: RC 2

Area: 8.713 AC

Proposed Zoning:

SPECIAL EXCEPTION:

1A01.2.C.2 (BCZR); To permit an animal boarding place and a commercial kennel.

VARIANCE:

421.1 (BCZR) To allow the animal boarding place and commercial from kennel use (driveway) to be located 20 feet to the nearest property line in lieu of required 200 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 12 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 12, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0064-XA
18310 Gunpowder Road
(Santamaria Property)

Zoning Advisory Committee Meeting of **March 16, 2020.**

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Delineation of a Forest Buffer Easement and its subsequent recordation by right of way plat will be required prior to Environmental Impact Review approval of any permit.

Any afforestation required to address Forest Conservation Regulations shall occur in the Forest Buffer Easement to the extent possible.

Ground Water Management must review any permits for a proposed boarding place and kennel, especially as relates to the septic system.

Reviewer: Glenn Shaffer and Dan Esser

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/27/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-064



INFORMATION:

Property Address: 18310 Gunpowder Road
Petitioner: Carol J. Santamaria
Zoning: RC 2
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception under section 1A01.2.C.2 of the Baltimore County Zoning Regulations (BCZR) to permit an animal boarding place and a commercial kennel; and a variance from section 421.1 of the BCZR to allow the animal boarding place and commercial kennel use (driveway) to be located 20 feet to the nearest property line in lieu of the required 200 feet.

The area is a mix of agriculture and rural residential. The property is a panhandle lot and surrounded by residential properties. Gunpowder Road is a Baltimore County Master Plan 2020 designated scenic route.

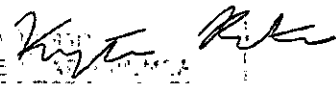
The Department of Planning does not object to the requests pending the following issues are addressed:

1. Landscaped screening should be provided along the proposed driveway from the neighboring properties. This should include a mix of vegetation at heights that will block the views of commercial traffic and sounds associated with the kennel.
2. According to the Comprehensive Manual of Design Guidelines, Page 178, Development Guidelines For All Scenic Routes and Significant Views, #5 states: Design and locate utilities, drainage structures, bridges, lighting, signage, fences, walls and street furniture to harmonize with the surroundings and to create the least visual impact." Signage shall be limited to a small advertising sign consisting of natural colors as to not distract from the scenic route.
3. Add the following note to Plan - Section 1A01.5 of the BCZR, "Any dwelling, business or use in or near an R.C.2 Zone may be subject to inconveniences or discomforts arising from agricultural operations, including but not limited to noise, odors, fumes, dust, the operations of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure and the application, by spraying or otherwise, of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or County health or environmental requirements; except that during the period between 10:00 p.m. and sunrise as defined by the National Weather Service for sunrise on the particular day in the Baltimore area, an agricultural operation may not fire or otherwise discharge an air cannon or similar device that

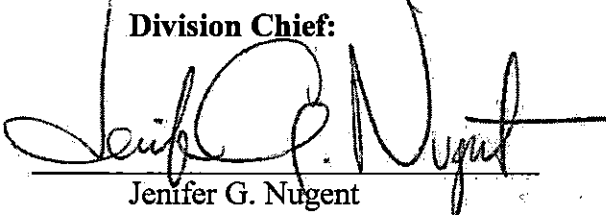
releases a loud shotgun-like blast within 500 feet of an adjacent residential dwelling." A kennel is not considered an agricultural operation.

As of April 28, 2020 a revised plan was submitted to the Department of Planning addressing the above mentioned comments. At this time the Department is in support of the requests.

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

CEM/EDB
Prepared by:


Krystle Patchak

Division Chief:


Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Wiley
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Bruce Doak
Office of the Administrative Hearings
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, Director
Department of Permits,
Approvals & Inspections

July 31, 2020

NOTICE OF ZONING HEARING

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CASE NUMBER: 2020-0064-XA

18310 Gunpowder Road

Southside of Gunpowder Road, southwest of George's Creek Road

5th Election District – 3rd Councilmanic District

Legal Owner: Carol Santamaria

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A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Carol Santamaria, 18310 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 FRIDAY, AUGUST 7, 2020.



PROCEEDINGS OF THE

ANNUAL MEETING OF THE AMERICAN SOCIETY OF CLIMATE ENGINEERS
HOLDING THEIR ANNUAL MEETING AT THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF., U.S.A.

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964

DECEMBER 1964



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 18310 GUNPOWDER ROAD which is presently zoned RC2
 Deed References: JLE 38865/389 10 Digit Tax Account # 1700007606
 Property Owner(s) Printed Name(s) CAROL J. SANTAMARIA

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

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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)

SEE ATTACHED PAGE

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:

Legal Owners (Petitioners):

Name- Type or Print

CAROL J. SANTAMARIA

Name #1 - Type or Print

Name #2 - Type or Print

Signature

X Carol J. Santamaria

Signature #1

Signature #2

Mailing Address

City

State

18310 GUNPOWDER ROAD HAMPSHIRE MD

Zip Code

Telephone #

Email Address

21074 1 910-830-9240

Zip Code

Telephone #

Email Address

AJS101903@AOL.COM

Attorney for Petitioner:

Representative to be contacted:

Name- Type or Print

BRUCE E. DRAL

BRUCE E. DRAL CONSULTING, LLC

Signature

Name - Type or Print

Bruce E. Dral

Signature

Mailing Address

City

State

3501 BAKER SCHOOLHOUSE ROAD FREELAND MD

Zip Code

Telephone #

Email Address

21053 1 910-919-9426

Zip Code

Telephone #

Email Address

BDRAK@BRUCE-DRAL-CONSULTING.COM

CASE NUMBER 2020-0064-YA Filing Date 3/2/20

Do Not Schedule Dates:

Reviewer GR

AM HEARING ONLY

REV. 10/4/11

Donna Mignon

From: Administrative Hearings
Sent: Friday, August 7, 2020 2:40 PM
To: cheffhsaul@yahoo.com
Subject: Hearing August 27, 2020 at 10:00 a.m. - 18310 Gunpowder Road

Good Afternoon Heather,

Per our conversation, it is my understanding that you would like to speak at the virtual hearing set for August 27, 2020 at 10:00.

It is my further understanding, that other neighbors are also opposing this as well. If they wish to participate in the hearing we will need any full names and email address so our office can send an invitation for the virtual hearing. This must be done by 48 hours before the hearing.

If anyone cannot participate via the virtual webex hearing and would like to send an email regarding their opposition.

They email to us at :

administrativehearings@baltimorecountymd.gov

If you have any further questions or concerns, please feel free to contact our office at 410-887-3368.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
donna mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
henry ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.



FW: Zoning hearing 2020-0064-xa

Administrative Hearings

Fri 8/7/2020 4:43 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>;

This is the one you set up on August 27th, can you please send an invite. Thank you so much.

From: curtisjim@comcast.net <curtisjim@comcast.net>**Sent:** Friday, August 7, 2020 4:24 PM**To:** Administrative Hearings <administrativehearings@baltimorecountymd.gov>**Subject:** Zoning hearing 2020-0064-xa

CAUTION: This message from curtisjim@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Administrative hearing officials,

I would like to participate in the hearing scheduled for August 27 at 10am for the zoning variance at 18310 Gunpowder Rd. (2020-0064-XA)

Sincerely,

James Curtis

18220 Gunpowder Rd.

Hampstead, Md 21074

August 27 at 10:00 - 18310 Gunpowder Road

Donna Mignon

Fri 8/7/2020 3:08 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>;

Hi Deb,

Please invite the following person: Heather Saul, chefhsaul@yahoo.com

She wants to oppose this kennel.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
donna mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
henry ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

Debra Wiley

From: Donna Mignon
Sent: Tuesday, August 11, 2020 1:38 PM
To: Debra Wiley
Subject: 18312 Gun Powder Road

Hi Deb,

Can you please send an invitation to : Mariefrance Guiteau her email address is : mfguiteau@aol.com

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

2020-
0001 -
XA Thurs
Aug.
27th

Jonathan
Wilkin

Jaydubya
72@a
gmail.
com

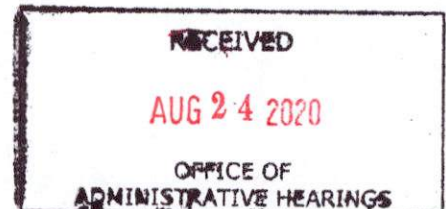
Donna Mignon

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, August 21, 2020 4:41 PM
To: Donna Mignon
Subject: Exhibits for Case #2020-0064-XA (email 2 of 2)
Attachments: Site photos.pdf

CAUTION: This message from doakfarm@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks!!!

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com



On Aug 21, 2020, at 11:48 AM, Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Hi Bruce,
Thank you for sending these to me.
I am now just waiting for the exhibits. Thank you so much. Have a great weekend.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, August 21, 2020 11:30 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 18310 Gunpowder Road - 8/27/2020 10:00 a.m.

CAUTION: This message from doakfarm@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning Donna,

I have enclosed the previous posting cert that was submitted to Jenae

REVISION

TO: 207701
FROM: 207701-207701-207701

And the re-cert from today.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

On Aug 20, 2020, at 1:09 PM, Donna Mignon
<dmignon@baltimorecountymd.gov> wrote:

Good Afternoon,

I am in the process of getting this file ready for the hearing next week.

I do not see the Certification of Sign Posting in the file. Can you please check to see if you have this and if so email to me.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Practice social distancing and
wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

<Posting Cert 8 06 20.pdf><Posting cert 8 21 20.pdf>

Debra Wiley

From: Debra Wiley
Sent: Monday, August 24, 2020 7:48 AM
To: Donna Mignon
Cc: Bruce Doak
Subject: RE: Exhibits for Case #2020-0064-XA (email 1 of 2)

Good Morning,

Please be advised that Ms. Carol Santamaria was invited when this event was created.

An email was sent to ajs101903@aol.com

Thanks.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Sunday, August 23, 2020 10:05 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: FW: Exhibits for Case #2020-0064-XA (email 1 of 2)

Hi Deb,
I already printed and saved exhibits.
Just need you to invite Carol Santamaria per Bruce below. Thank you.
I hope you had a great weekend. ☺

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, August 21, 2020 4:39 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Exhibits for Case #2020-0064-XA (email 1 of 2)

CAUTION: This message from doakfarm@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

The owner Carol Santamaria ajs101903@aol.com will want to speak.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

Panelist List

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donna mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
henry ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul M. Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
bruce e. doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
carol j santamaria	ajs101903@aol.com	1-	New York Time	English	U.S.
Heather Saul	chefhsaul@yahoo.com	1-	New York Time	English	U.S.
James Curtis	curtisjim@comcast.net	1-	New York Time	English	U.S.
Jonathan Wilkin	jaydubya72@gmail.com	1-	New York Time	English	U.S.
Mariefrance Guiteau	mfguiteau@aol.com	1-	New York Time	English	U.S.

OK

Donna Mignon

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, August 21, 2020 4:39 PM
To: Donna Mignon
Subject: Exhibits for Case #2020-0064-XA (email 1 of 2)
Attachments: Santamaria Gunpowder zoning plan 4 23 20 copy.pdf; GIS Aerial Photo.pdf; Info on building copy.pdf

CAUTION: This message from doakfarm@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

The owner Carol Santamaria ajs101903@aol.com will want to speak.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

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I am now just waiting for the exhibits. Thank you so much. Have a great weekend.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Bruce Doak <doakfarm@gmail.com>
Sent: Friday, August 21, 2020 11:30 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 18310 Gunpowder Road - 8/27/2020 10:00 a.m.

CAUTION: This message from doakfarm@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning Donna,

I have enclosed the previous posting cert that was submitted to Jenae

And the re-cert from today.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

On Aug 20, 2020, at 1:09 PM, Donna Mignon
<dmignon@baltimorecountymd.gov> wrote:

Good Afternoon,

I am in the process of getting this file ready for the hearing next week.

I do not see the Certification of Sign Posting in the file. Can you please check to see if you have this and if so email to me.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Practice social distancing and
wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY

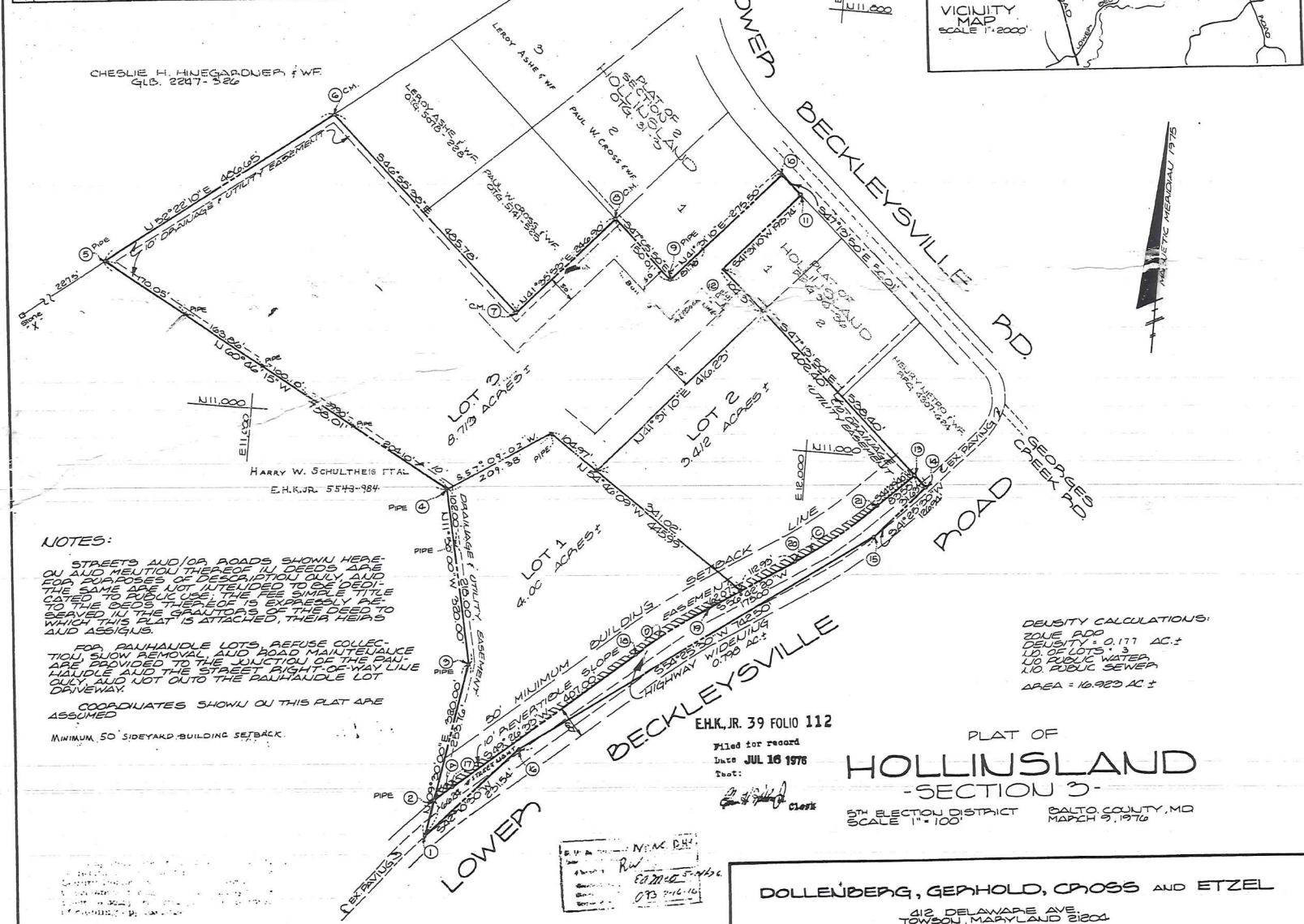
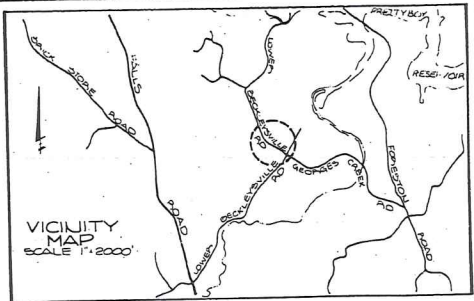


www.baltimorecountymd.gov

<Posting Cert 8 06 20.pdf><Posting cert 8 21 20.pdf>

COORDINATE TABLE					
NO	NORTH	EAST	NO	NORTH	EAST
1	10254.35	11572.45	12	11210.67	11022.75
2	10219.66	11505.56	13	10970.55	12194.77
3	10569.34	11427.44	14	10950.07	12217.99
4	10565.13	11361.22	15	10951.59	12194.00
5	11245.51	10717.50	16	10925.92	11530.00
6	11540.65	11102.19	17	10947.11	11416.20
7	11200.89	11450.04	18	10911.75	11785.53
8	11292.52	11621.96	19	10705.29	11650.13
9	11291.41	11751.25	20	10501.02	11990.02
10	11397.68	11914.47	21	10915.29	12125.07
11	11462.73	11951.13			

CURVE DATA					
NO	Δ	RADIUS	LENGTH	TANGENT	BEARING (LONG CHORD)
A	2°17'42.5"	1000'	41.82'	20.60'	S 45°17'42.5" N 41.82'
B	7°15'41"	1200'	152.32'	70.00'	S 57°03'36" W 152.32'
C	11°52'40"	870'	180.29'	90.50'	S 67°02'00" W 180.29'



NOTES:

STREETS AND/OR ROADS SHOWN HERE ON AND HEREIN THEREOF IN DEEDS AND FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE NOR IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

FOR PAUHANDE LOTS, REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PAUHANDE LOTS AND THE STREET RIGHT-OF-WAY LINE ONLY AND NOT OUT TO THE PAUHANDE LOT DRIVEWAY.

COORDINATES SHOWN ON THIS PLAT ARE ASSUMED.

MINIMUM 50' SIDEYARD-BUILDING SETBACK.

DEENSITY CALCULATIONS:
 ZONE PDC
 DENSITY = 0.171 AC.±
 NO. OF LOTS = 1
 NO. PUBLIC WATER
 NO. PUBLIC SEWER
 AREA = 16.923 AC.±

PLAT OF HOLLINSLAND - SECTION 3 -

5TH ELECTION DISTRICT BALTO COUNTY, MD
 SCALE 1" = 100' MARCH 9, 1976

E.H.K., JR. 39 FOLIO 112
 Filed for record
 Date JUL 16 1976
 Book: 832042-5-4156
 Page: 03

DOLLENBERG, GEHOLD, CROSS AND ETZEL
 112 DELAWARE AVE.
 TOWSON, MARYLAND 21204

DEED REFERENCE - O.T.G. 5184-264
 HIGHWAYS DEPARTMENT OF BALTIMORE COUNTY
 APPROVED FOR STREET ALIGNMENT & LOCATION
 7/16/76
 DEPUTY STATE & CO. HEALTH OFFICER
 APPROVED FOR BALTO. CO. HEALTH DEPARTMENT
 7/16/76
 DEPUTY STATE & CO. HEALTH OFFICER
 APPROVED FOR BALTO. COUNTY PLANNING BOARD
 7/16/76
 DIRECTOR

OWNER'S CERTIFICATE:
 THE REQUIREMENTS OF SECTION 59 TO 62 ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1957 EDITION (TITLE CLERKS OF THE COURT, AND TITLE CLERKS OF CLERK OF COURTS) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.
 JOHN C.G. BOYCE, JR.
 Box 65
 BUTLER, MD. 21023
 6/10/76
 OWNER

SURVEYOR'S CERTIFICATE:
 JOHN FRANCIS ETZEL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND AND THE SETTING OF MARKERS, AND THE ACTS OF 1900 AND 1901 AND SUBSEQUENT ACTS AMENDATORY THEREOF.
 JOHN FRANCIS ETZEL
 REG. PROF. LAND SURVEYOR # 2082
 7/11/76
 DATE

2020-0064-XA

GENERAL SITE INFORMATION

1. Ownership: Carol J. Santamaria
18310 Gunpowder Road
Hampstead MD 21074
2. Address: 18310 Gunpowder Road
3. Deed references: JLE 38865/ 389 Lot 3 "Hollinsland - Section 3" PB EHK Jr 39/112
4. Area: 8.713 acres (per PB 39/ 112)
5. Tax Map / Parcel / Tax account #: 15 / 20 / 17-00-007606
6. Election District: 5 Councilmanic District: 3
ADC Map: 4118E10 GIS tile: 015B2 Position sheet: 121NW32
Schools: Fifth District ES Hereford MS 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 tile 015B2 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling & parking lot. The existing dwelling and parking lot will remain.

OFFICE OF ZONING

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

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2

R.C. 2 Setbacks for Residential Buildings

Front: 75 feet from the centerline of the adjoining road or street right of way
Side / Rear: 35 feet to the property line

ENVIRONMENTAL IMPACT

- Watershed: Prettyboy Reservoir URDL land type: 1
1. The existing dwelling is currently serviced by a private well and septic system.
 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.
 5. The solid waste from the kennel will be bagged and taken away each week.

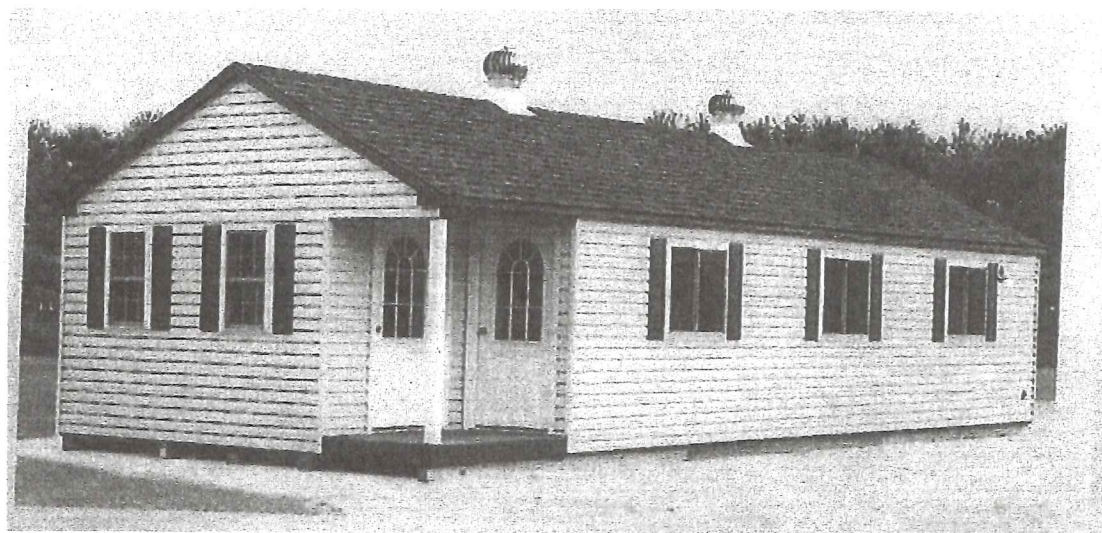
DEPARTMENT OF PLANNING

Regional Planning District: Prettyboy District Code: 301

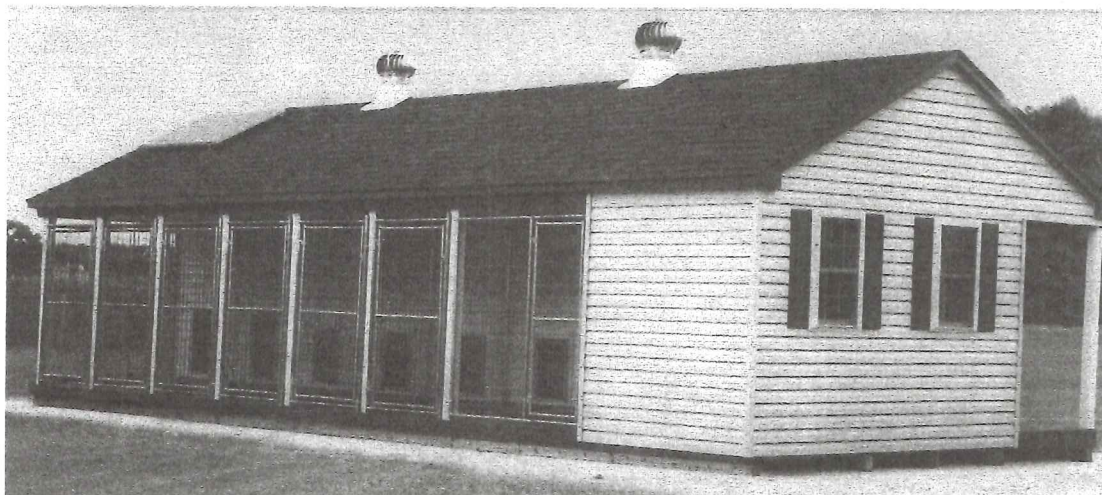
1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

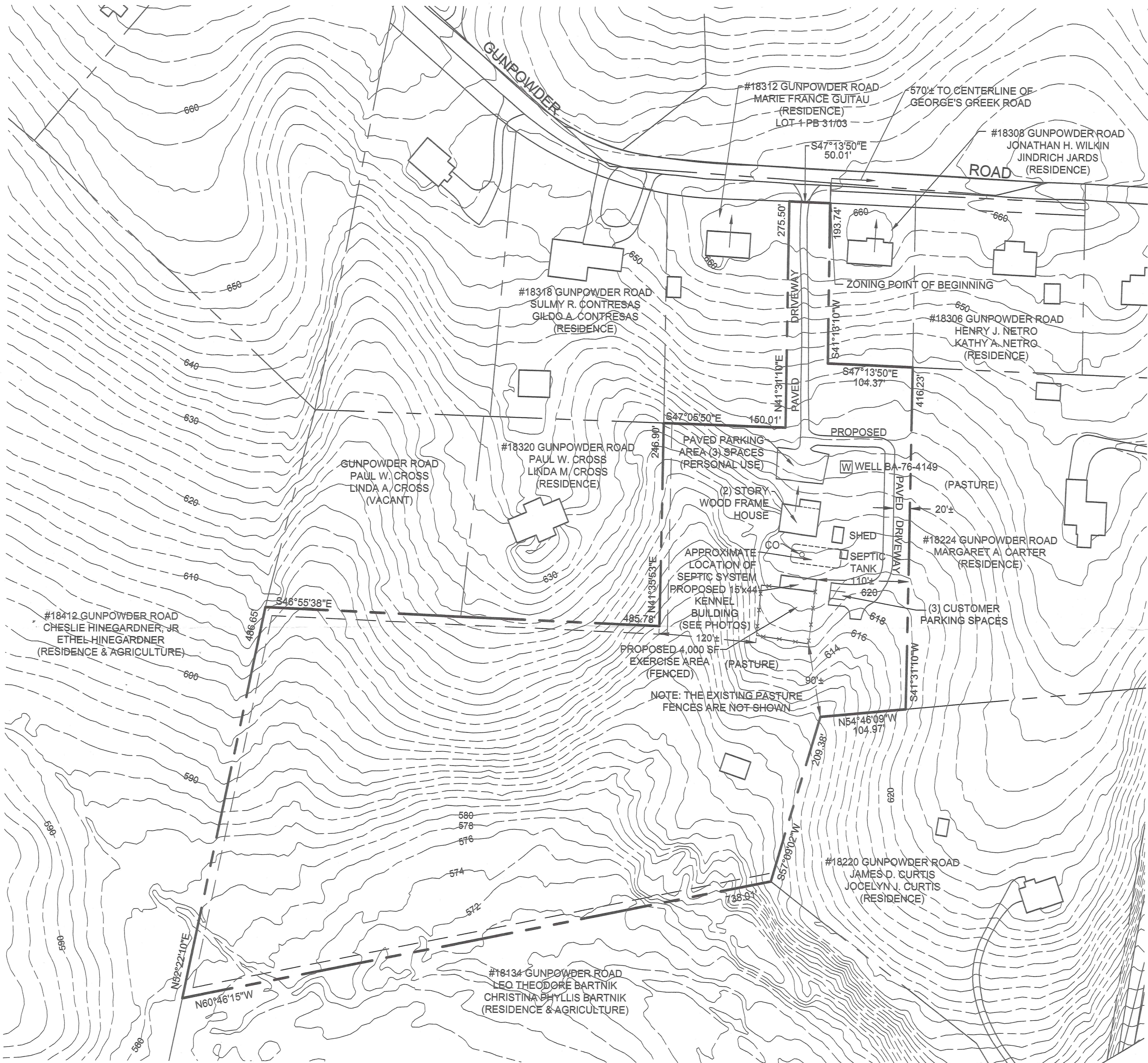
To have a kennel for up to 10 dogs.



BUILDING ELEVATION



BUILDING ELEVATION

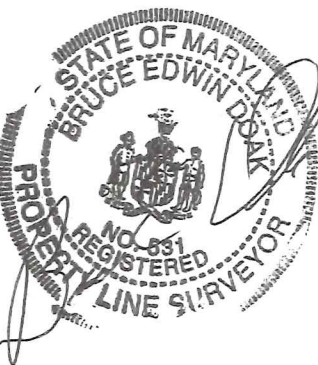


REVISION

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

PLAN TO ACCOMPANY A
ZONING PETITION REQUEST
FOR
STANTAMARIA PROPERTY
#18310 GUNPOWDER ROAD
BALTIMORE COUNTY, MARYLAND
5th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 2/23/2020
Scale: 1"= 70'



PETITIONER'S
EXHIBIT NO. 1

CASE # 2020-0044-XA

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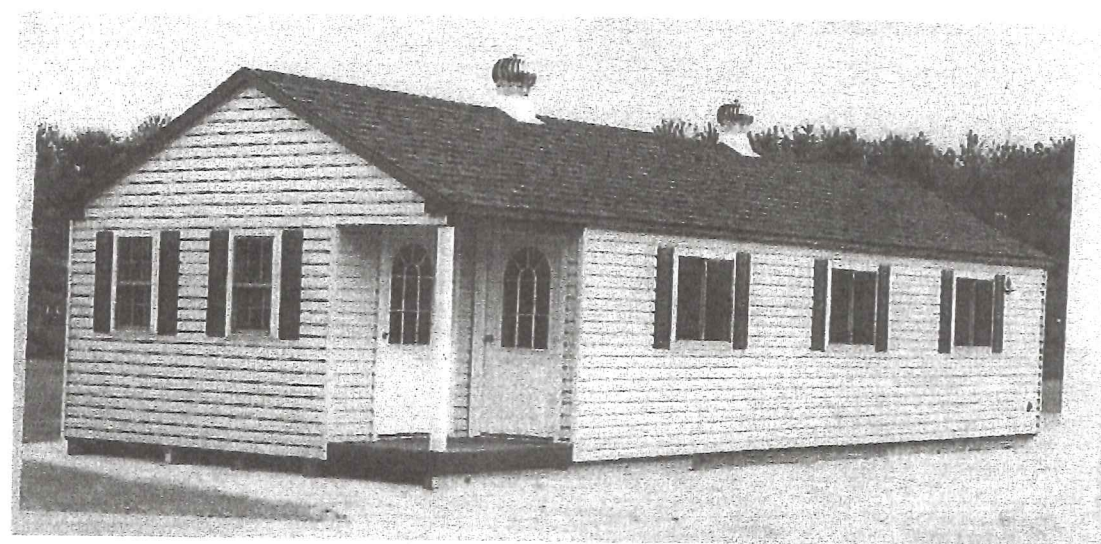
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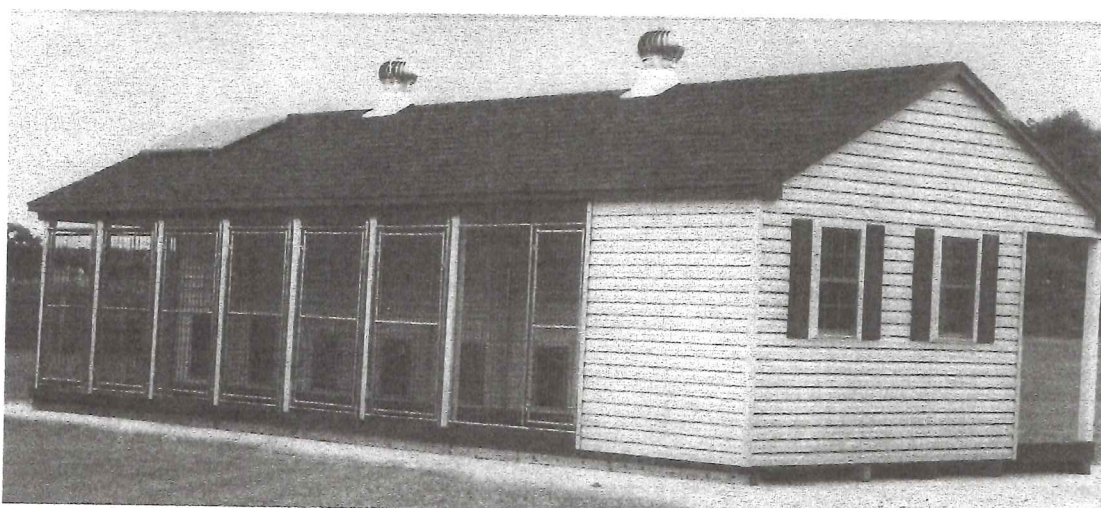
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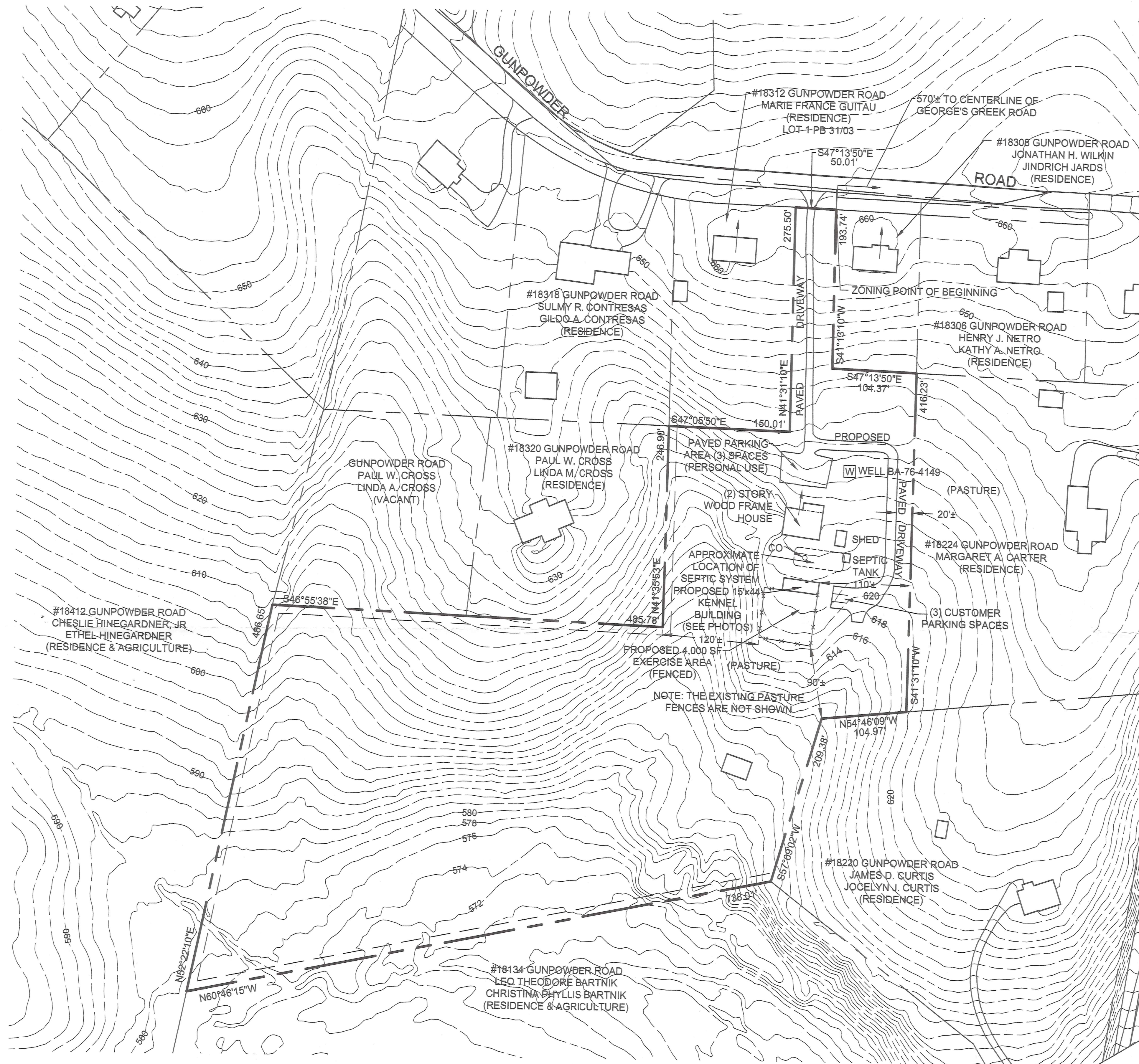
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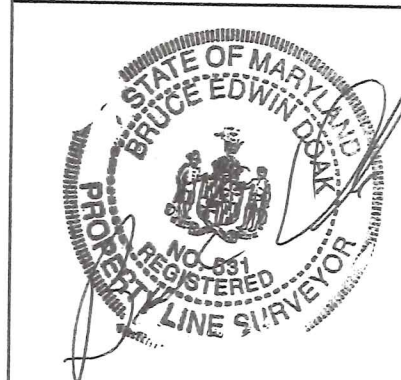
0' 70' 140' 210'

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CASE # 2020-0064-XA