

IN RE: PETITION FOR SPECIAL EXCEPTION *

(13220 Long Green Pike)

2nd Election District *

3rd Councilman District *

Green Valley Farms, LLC *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0103-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Exception filed for property located at 13220 Long Green Pike. The Petition was filed by John B. Gontrum, Esquire, on behalf of the legal owner of the subject property, Green Valley Farms, LLC. The Petition seeks relief pursuant to 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use the herein described property for an animal boarding place, riding stable and a farm market.¹ The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing was Ryan & Amber Frost, Mary Kelly, Judy Gregory and licensed surveyor Jonathan S. Dallas with J.S. Dallas, Inc., who prepared the site plan. John B. Gontrum, Esquire with Whiteford, Taylor & Preston, LLP attended and represented the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of opposition. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS).

¹ At the hearing, the Petitioner indicated that it no longer sought approval of a farm market. Accordingly, the Petition was amended and only the boarding place and riding stable are at issue.

ORDER RECEIVED FOR FILING

Date

By

6/4/14

Sen

The subject property is 31.39 Ac. +/- and is zoned RC 2. The property is in the Long Green Valley, and is improved with a single family dwelling, barn and related outbuildings. The surrounding uses are largely agricultural, and the DEPS describes it as a "vital agricultural area." Petitioner purchased the property in 2011, and has been boarding horses at the site since that time. After a complaint was filed with Code Enforcement, the Petitioner was instructed to file a petition for special exception to "legitimize" the present activities on the site.

Special Exception Law in Maryland

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 People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that 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.

Here there was no evidence presented that would suggest the special exception uses would be injurious to the community. In fact, the DOP noted in its comment that the riding stable and animal boarding uses are "within the spirit and intent of the RC 2 regulations." In addition, Petitioner's neighbors (Mary Kelly and Mr. and Mrs. McKenzie) attended the hearing and expressed enthusiastic support for the request. In these circumstances, I believe the petition for special exception should be granted.

Mr. Lippincott, of DEPS, requested that the number of horses be limited pursuant to a soil, water & nutrient management plan, and such a condition will be imposed below. The Groundwater Management section of DEPS indicated Petitioner may need to install a new septic system and satisfy other requirements to "accommodate this increased usage." The ~~DEPS~~ also

ORDER RECEIVED FOR FILING

Date

6/14/14

By

sln

suggested that Petitioner needed to apply for a change of occupancy or building permit. Having reviewed the comment in its entirety, I believe the reviewer was focused upon the proposed farm market operation, which is no longer part of this case. Petitioner confirmed there will be no improvements or construction at the site. In these circumstances, I do not believe Petitioner must obtain a building permit or approval for change of occupancy, and I will not impose such conditions in the Order below.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 4th day of June, 2014, that the Petition for Special Exception under §502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use the herein described property for an animal boarding place and riding stable, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

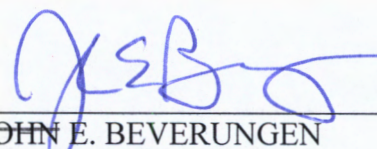
1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner may keep on the premises a maximum of twenty-one (21) horses.
3. Petitioner must obtain approval from State and/or County authorities of soil conservation, water quality and nutrient management plans.

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

ORDER RECEIVED FOR FILING

Date 6/4/14

By den


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

KEVIN KAMENETZ
County Executive



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

June 4, 2014

John B. Gontrum, Esquire
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Avenue
Suite 300
Towson, Maryland 21204

RE: Petition for Special Exception
Case No.: 2014-0103-X
Property: 13220 Long Green Pike

Dear Counsel:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Mary Kelly, 13428 Long Green Pike, Hydes, Maryland 21082



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 13220 Long Green Pike which is presently zoned RC2
 Deed References: 30835/387 10 Digit Tax Account # 2 5 0 0 0 0 5 3 6 6
 Property Owner(s) Printed Name(s) Green Valley Farms LLC

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

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

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

2. X a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
Animal Boarding Place, pursuant to section ECZR1A01.C.2
Riding Stable, pursuant to section ECZR1A01.C.21
~~Farm Market, pursuant to section ECZR1A01.2.C.8~~ *gub*

3. a Variance from Section(s)

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

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

John B. Gontrum, Esquire/Whiteford, Taylor & Preston

Name- Type or Print

Signature

1 W. Pennsylvania Avenue, Suite 300, Towson, MD

Mailing Address

City

State

21204

/ 410-832-2000

/ jgontrum@wtpplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Green Valley Farms, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

13220 Long Green Pike, Hydes, MD

Mailing Address

City

State

21082

/ 410-960-2332

/ frostryan3@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

John B. Gontrum, Esquire, Whiteford, Taylor & Preston

Name - Type or Print

Signature

1 W. Pennsylvania Avenue, Suite 300, Towson, MD

Mailing Address

City

State

21204

/ 410-832-2000

/ jgontrum@wtpplaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0103-X Filing Date 10/23/13

Do Not Schedule Dates: _____

Reviewer GIA

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

ZONING DESCRIPTION FOR #13220 LONG GREEN PIKE

BEGINNING at a point distant 1094.35 northwesterly from the northwest side of Long Green Pike thence the following courses and distances: (1) **South 45 Degrees 58 Minutes 00 Seconds East 3.57 feet** (2) **North 42 Degrees 00 Minutes 00 Seconds East 21.81 feet** (3) **North 08 Degrees 14 Minutes 20 Seconds West 16.78 feet** (4) **North 32 Degrees 40 Minutes 30 Seconds East 55.20 feet** (5) **North 30 Degrees 40 Minutes 00 Seconds East 711.22 feet** (6) **North 60 Degrees 25 Minutes 00 Seconds West 1089.02 feet** (7) **South 30 Degrees 40 Minutes 00 Seconds West 800.00 feet** (8) **South 60 Degrees 25 Minutes 00 Seconds East 25.83 feet** (9) **South 23 Degrees 13 Minutes 12 Seconds West 348.01 feet** (10) **North 57 Degrees 04 Minutes 19 Seconds West 16.43 feet** (11) **South 23 Degrees 13 Minutes 12 Seconds West 37.32 feet** (12) **South 46 Degrees 30 Minutes 24 Seconds East 18.31 feet** (13) **South 43 Degrees 05 Minutes 56 Seconds East 485.92 feet** (14) **by a curve to the right with a radius of 364.04 feet for an arc distance of 112.66 feet** (15) **by a curve to the right with a radius of 931.34 feet for an arc distance of 137.00 feet** (16) **South 13 Degrees 32 Minutes 35 Seconds East 14.86 feet** (17) **North 72 Degrees 16 Minutes 46 Seconds East 29.31 feet** (18) **North 45 Degrees 33 Minutes 16 Seconds East 84.90 feet** (19) **North 52 Degrees 12 Minutes 57 Seconds East 114.46 feet** (20) **North 47 Degrees 24 Minutes 17 Seconds East 248.66 feet** (21) **North 27 Degrees 19 Minutes 49 Seconds East 22.16 feet** (22) **North 87 Degrees 13 Minutes 32 Seconds East 22.25 feet** (23) **North 49 Degrees 09 Minutes 30 Seconds East 131.12 feet** (24) **North 37 Degrees 02 Minutes 08 Seconds East 108.69 feet** (25) **South 60 Degrees 25 Minutes 00 Seconds East 10.46 feet** to the place of beginning, as recorded in Liber J.L.E. No. 30835 Folio 387 etc.

CONTAINING 1,367,559 square feet or 31.39 acres of land, more or less,

Located in the 11th Election District, 3rd Council District.



10-22-13

Note: the above description is based on existing deed information for zoning petition use only and is NOT the result of a boundary survey.

2014-0103-X

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2014-0103-X
Petitioner: Green Valley Farms, LLC
Address or Location: 13220 Long Green Pike, Hydes MD 21082

PLEASE FORWARD ADVERTISING BILL TO:

Name: Tim Kokoro
Address: One West Pennsylvania Ave Suite 300
Towson MD 21204
Telephone Number: 410 832 2004

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

No. **102652**

Date: **10/23/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DWH

10/25/2013 10/23/2013 14:20:37

REF W904 WALKIN SHIL SAN

>>RECEIPT # 597801 10/23/2013 GFLN

Dept 5 528 ZONING VERIFICATION

CR 10. 102652

Recpt Tot: \$500.00
 \$500.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500.00

Total: **500.00**

Rec From: **White Bird, Taylor & Preston L.L.P**

For: **Special Exception**

2014-0103-*

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

CASE NO: 2014-0103-X

PETITIONER/DEVELOPER
WHITEFORD, TAYLOR &
PRESTON

DATE OF HEARING/CLOSING:

JUNE 2, 2014

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE**

ATTENTION:

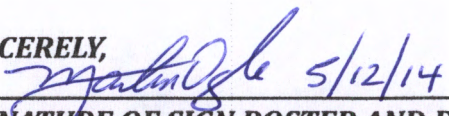
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT** _____

13220 LONG GREEN PIKE

THIS SIGN(S) WERE POSTED ON MAY 12, 2014
(MONTH, DAY, YEAR)

SINCERELY,

 5/12/14
SIGNATURE OF SIGN POSTER AND DATE:

**MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411**

ZONING NOTICE

CASE # 2014-0103-X

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

Room 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESTERMAN AVENUE, TOWSON 21204

DATE AND TIME: MONDAY, JUNE 2, 2014
AT 1:30 P.M.

REQUEST: SPECIAL EXCEPTION TO REBUILT AN
ANNUAL BOARDING PLACE, FROM MARKET AND
RIDING STABLE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CANCEL THIS NOTICE, CALL 410-331-3291

DO NOT REMOVE THIS SIGN AND POST WITHOUT THE PENALTY OF LAW
HANDICAPPED ACCESSIBLE

msd/abg
5/12/14



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

May 1, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on May 13, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #2014-0103-X

13220 Long Green Pike

E/s Long Green Pike, 1600 ft. s/of centerline of Church Road

2nd Election District - 3rd Councilmanic District

Legal Owner(s): Green Valley Farms, LLC

Special Exception to permit an animal boarding place, farm market and riding stable.

Hearing: Monday, June 2, 2014 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 5/648 May 13

979284



KEVIN KAMENETZ
County Executive

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

April 24, 2014

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0103-X

13220 Long Green Pike

E/s Long Green Pike, 1600 ft. s/of centerline of Church Road

2nd Election District – 3rd Councilmanic District

Legal Owners: Green Valley Farms, LLC

Special Exception to permit an animal boarding place, farm market and riding stable.

Hearing: Monday, June 2, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: John Gontrum, Whiteford, Taylor & Preston, 1 W. Pennsylvania Ave., Ste. 300, 21204
Green Valley Farms, LLC, 13220 Long Green Pike, Hydes 21082

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 13, 2014.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 13, 2014 Issue - Jeffersonian

Please forward billing to:

Tim Kotroco
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2004

NOTICE OF ZONING HEARING

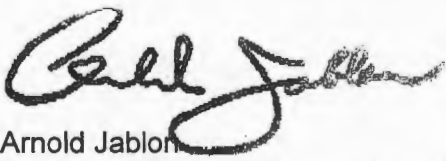
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CASE NUMBER: 2014-0103-X

13220 Long Green Pike
E/s Long Green Pike, 1600 ft. s/of centerline of Church Road
2nd Election District – 3rd Councilmanic District
Legal Owners: Green Valley Farms, LLC

Special Exception to permit an animal boarding place, farm market and riding stable.

Hearing: Monday, June 2, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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

M E M O R A N D U M

DATE: July 8, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0103-X – Appeal Period Expired

The appeal period for the above-referenced case expired on July 7, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
 13220 Long Green Pike; E/S Long Green Pike, *
 1600' S c/line Church Road * OF ADMINISTRATIVE
 2nd Election & 3rd Councilmanic Districts *
 Legal Owner(s): Green Valley Farms LLC * HEARINGS FOR
 Petitioner(s) * BALTIMORE COUNTY
 * 2014-103-X
 * * * * *

ENTRY OF APPEARANCE

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

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

RECEIVED
 FEB 04 2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February, 2014, a copy of the foregoing Entry of Appearance was mailed to John Gontrum, Esquire, 1 Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2-6</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>3/10/14</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
<u>3/7/14</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>2-5</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>5-1-14</u>	
SIGN POSTING	Date: <u>5-12-14</u> by <u>Dge</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: See zoning Review (Gary Huick) comments 11-18-13



KEVIN KAMENETZ
County Executive

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

May 28, 2014

Green Valley Farms LLC
13220 Long Green Pike
Hydes MD 21082

RE: Case Number: 2014-0103 X, Address: 13220 Long Green Pike

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 October 23, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
John B. Gontrum, Esquire, 1 W Pennsylvania Avenue, Suite 300, Towson MD 21204

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 2-5-14

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

RE: Baltimore County
Item No 2014-0103-X
Special Exception
Green Valley Farms LLC
13220 Long Green Pike

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0103-X.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster", is written over a horizontal line.

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

November 18, 2013

RE: 13220 Long Green Pike
Special Exception Petition (Case # 2014-0103)

Pursuant to section 102.2 of the Baltimore County Zoning Regulations, no Special Exception use area can be overlapping or conflicting. All uses require designated areas showing individual use locations and zoning descriptions. Zoning is about use and if 3 Special Exceptions would coincide or overlap, it would have to be determined that there is no conflict with the uses. This cannot be done administratively.

Gary Hucik
Planner, Zoning Review

WHITEFORD, TAYLOR & PRESTON L.L.P.

JOHN B. GONTRUM
DIRECT LINE (410) 832-2055
DIRECT FAX (410) 339-4058
JGontrum@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
BETHANY BEACH, DE
BETHESDA, MD
COLUMBIA, MD
DEARBORN, MI
FALLS CHURCH, VA
LEXINGTON, KY
ROANOKE, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE

WWW.WTPLAW.COM
(800) 697-8705

March 27, 2014

VIA FACSIMILE 410-887-5708

Ms. Kristen L. Matthews
Zoning Review
Baltimore County Office Building, Room 111
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception
13220 Long Green Pike; E/S Long Green Pike,
1600' S c/lane Church Road
2nd Election & 3rd Councilmanic Districts
Legal Owner(s): Green Valley Farms LLC
Case No. 2014-103-X

Dear Kristen:

This office represents Green Valley Farms LLC in the above-referenced matter and we request that this matter be set for a zoning hearing. Agency comments have been received.

Thank you for your assistance with this matter. Should you have any question, please contact me.

Very truly yours,



John B. Gontrum

JBG:las

cc: Peter Max Zimmerman, Esq.
Carole S. Demilio, Esq.

435111

Lynn
410-832-2185

m/a June 5, 6

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: February 10, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For February 10, 2014
Item No. 2014-0076, 0103, 0157, 0158, 0160, 0161 and 0164

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

DAK:CEN.
Cc: file

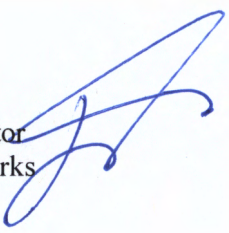
G:\DevPlanRev\ZAC -No Comments\ZAC02102014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

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

ATTN: Kristen Matthews
MS 1105

FROM: Edward C. Adams, Director
Department of Public Works 

DATE: March 20, 2014

SUBJECT: Case No: 2014-0103-X
13220 Long Green Pike, Hydes, Maryland 21082

This case involves a special exception to determine whether or not the Administrative Law Judge should approve the above mentioned property for an animal boarding place, riding stable and a farm market.

The Special Exception involves a fence within the 100-year riverine floodplain as shown on the plan submitted. Baltimore County Code 32-4-414, defined by Baltimore County Code 32-8-101 and Baltimore County Building Code Part 125, states that no new construction is allowed within the riverine floodplain.

Terry Curtis of my office called the engineer on record, Jonathan Scott Dallas, and they discussed the fence located within a 100-year riverine flood plain shown on FEMA's Flood Insurance Rate Map Number 2400100290F, date September 6, 2008. Mr. Dallas stated that the fence is existing and was most likely placed long before the current owner of the property acquired the property. Mr. Dallas stated the reason for the special exception was for change of use on the property.

The plans and documents submitted were reviewed and the Department of Public Works, takes no exception to the approval of the Special Exception.

ECA/TWC/s

CC: Dennis Kennedy, Chief, Development Plans Review and Building Plan Review
Peter M. Zimmerman, People's Council
Scott Dallas, J.S. Dallas, Inc.

3/17/14
8 WCR

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



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

DATE: March 7, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 13220 Long Green Pike

INFORMATION:

Item Number: 14-103

Petitioner: Green Valley Farms, LLC

Zoning: RC 2

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's request for special exception and variance. The property is located along Long Green Pike, in the Long Green Valley National Register District. The majority of the property is zoned RC 2 and is used for agricultural purposes. The property is accessed via a long panhandle driveway.

The Department of Planning considers farm markets, animal boarding, and riding stables to be within the spirit and intent of the RC 2 regulations. The intent of RC 2 zoning is to protect agriculture and its associated uses. As such, the Department of Planning opines that the proposed use is appropriate for the area and does not appear to be detrimental to the health, safety or general welfare of the surrounding community.

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

Prepared By:

A handwritten signature in black ink, appearing to read "Chris R. Surry", written over a horizontal line.

Division Chief:
AVA/LL:cjm

A handwritten signature in black ink, appearing to read "Lynn Tarkenton", written over a horizontal line.

6/2/14

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

MAR 10 2014

OFFICE OF ADMINISTRATIVE HEARINGS



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

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 10, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0103-X
Address 13220 Long Green Pike
(Green Valley Farms, LLC Property)

Zoning Advisory Committee Meeting of February 3, 2014.

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

Comments from EPS' Groundwater Management section –

The proposal calls for an Animal Boarding place and Farm Market, as well as having full and part-time employees on the premises. Therefore, Ground Water Management will need to check for adequate water supply and sewage disposal on site, and will potentially be requiring a water usage letter, perc tests to be conducted, and installation of a new septic system (no portable toilet facilities permitted) to accommodate this increased usage.

Ground Water Management respectfully requests that approval will be contingent upon the Applicant applying for a change of occupancy or building permit, and that the said permit will go through the full review process.

Reviewer: Dan Esser – Groundwater Management

Comments from EPS' Land Preservation section -

The proposal calls for a Boarding facility. This is in the heart of the Long Green Valley, a vital agricultural area. Equine uses are agricultural in nature. The property has direct access to Long Green Pike which is a major roadway that is suitable to the amount of traffic that can be associated with a Boarding Facility. The number of horses should be limited by a Soil Conservation and Water Quality Plan and Nutrient Management Plan to assure protection of the water resources of the Valley.

2014-0103-X
13220 Long Green Pike
(Green Valley Farms, LLC Property)

The proposal also calls for a Farm Market while the plan says Roadside Stand but either one requires at least 50% produce from onsite. There is no evidence that there is any onsite production at this time. Request should not be granted until evidence of production on the site.

The plan indicates no DRC actions but it is my recollection that the property was part of Ag Exemption which would have gone through the DRC.

Reviewer: *Wally Lippincott – Land Preservation*

Real Property Data Search (w4)

Your feedback is important to us. [Please take our short survey.](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Register
Account Identifier:	District - 11 Account Number - 2500005366	
Owner Information		
Owner Name:	GREEN VALLEY FARMS LLC	Use: AGRICULTURAL
Mailing Address:	13220 LONG GREEN PIKE HYDES MD 21082-	Principal Residence: NO Deed Reference: 1) /30835/ 00387 2)
Location & Structure Information		
Premises Address:	13220 LONG GREEN PIKE HYDES 21082-9714	Legal Description: 31.3949AC 13220 LONG GR 800FT N OF HY
Map: 0045	Grid: 0014	Parcel: 0192
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2012
Special Tax Areas:	Town: NONE	Ad Valorem:
Primary Structure Built 1967	Above Grade Enclosed Area 4,082 SF	Finished Basement Area 31.3900 AC
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior FRAME	Full/Half Bath 4 full/ 1 half	Garage 1 Attached
Last Major Re		
Value Information		
Base Value	Value	Phase-in Assessments
	As of 01/01/2012	As of 07/01/2013
Land: 126,000	126,000	
Improvements 580,400	458,300	
Total: 706,400	584,300	584,300
Preferential Land: 6,000		584,300
Transfer Information		
Seller: FLEMING MARGARET D TRUSTEE	Date: 05/25/2011	Price: \$710,000
Type: ARMS LENGTH IMPROVED	Deed1: /30835/ 00387	Deed2:
Seller: FLEMING MARGARET D	Date: 01/23/2009	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /27581/ 00693	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013 07/01/2014
County: 000		0.00
State: 000		0.00
Municipal: 000		0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	AGRICULTURAL TRANSFER TAX	
Homestead Application Information		
Homestead Application Status: Denied		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **11** Account Number: **2500005366**

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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.

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

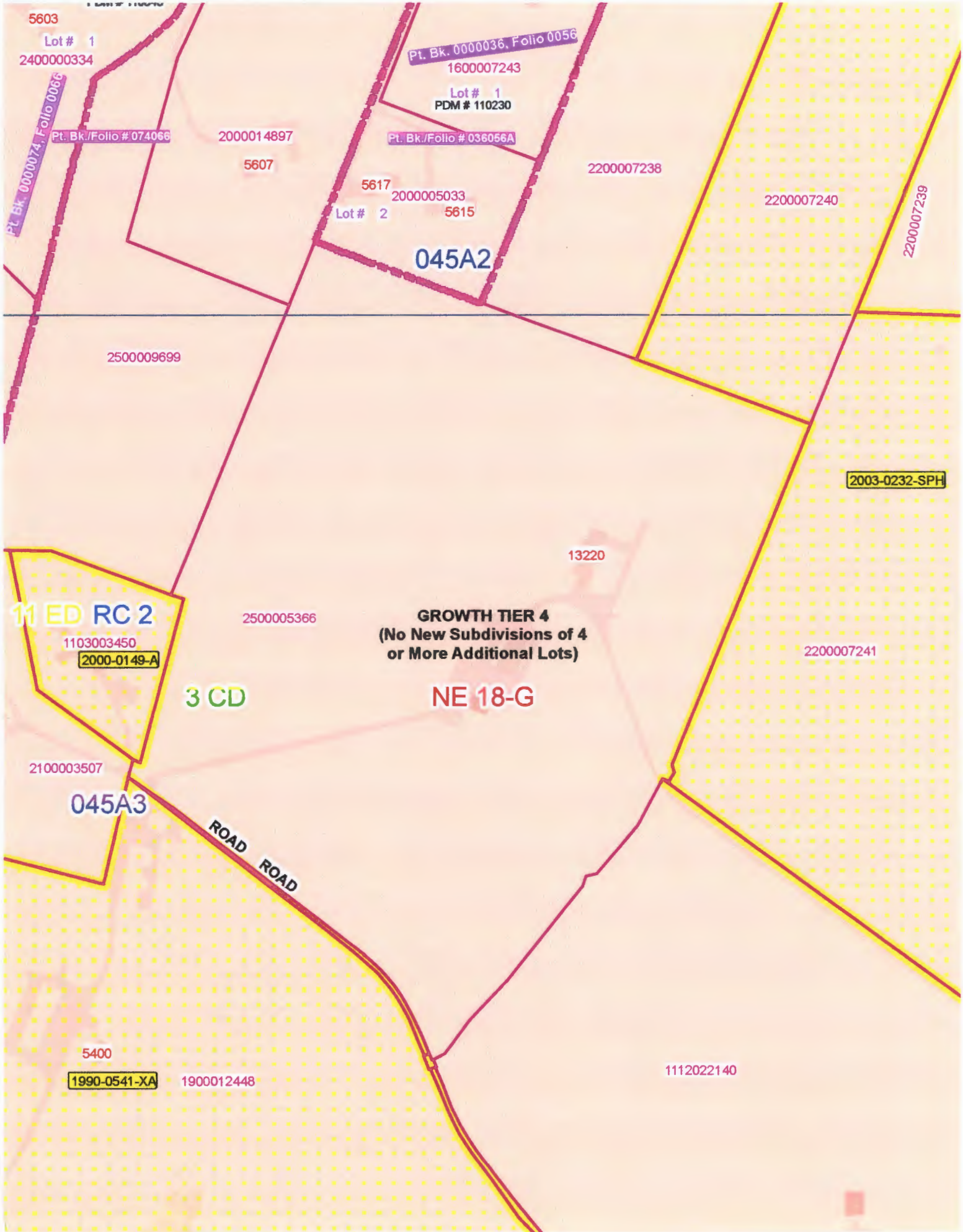
[\(http://imsweb05.mdp.state.md.us/website/mosp/\)](http://imsweb05.mdp.state.md.us/website/mosp/)☐ Loading... Please

Loading... Please Wait.

-->

DATE June 2, 2014

[illegible]



5603
Lot # 1
2400000334

Pt. Bk. 0000036, Folio 0056
1600007243

Lot # 1
PDM # 110230

Pt. Bk./Folio # 074066

2000014897

5607

Pt. Bk./Folio # 036056A

2200007238

5617
Lot # 2

2000005033
5615

2200007240

2200007239

045A2

2500009699

2003-0232-SPH

11 ED RC 2

1103003450
2000-0149-A

2500005366

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

3 CD

NE 18-G

2200007241

2100003507

045A3

ROAD ROAD

5400

1990-0541-XA

1900012448

1112022140

2014-0103-X

Case No.:

2014-0103-X

Exhibit Sheet

Petitioner/Developer

DW
7-8-14

Respondent

SLN
6-4-14

No. 1	Plan	
No. 2	Zoning Aerial photos 2A + 2B	
No. 3	Horse Stable License	
No. 4	Google Earth photo	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



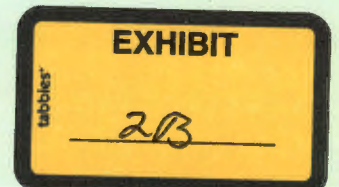
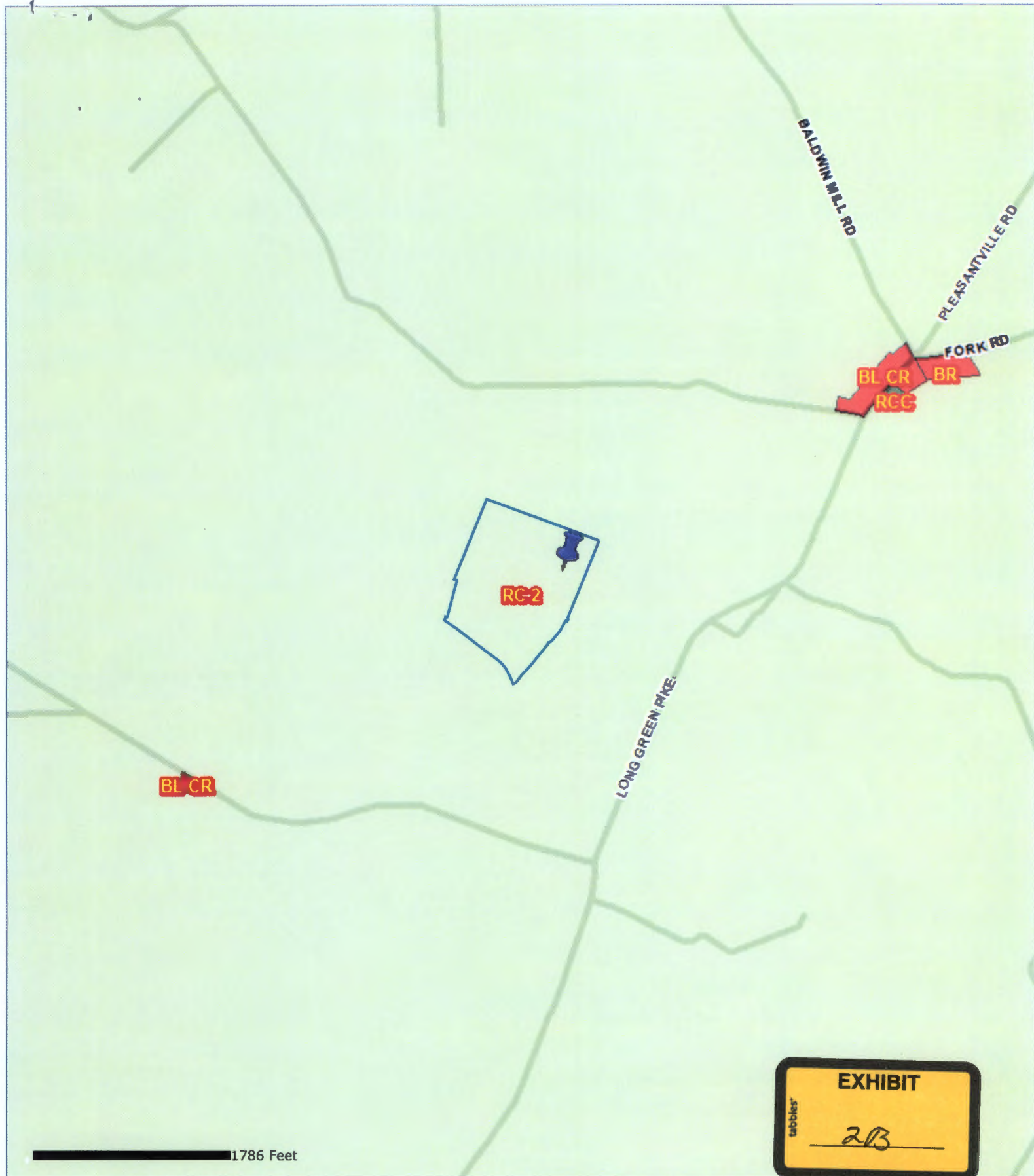
Land Development Map

Created By
Baltimore County
My Neighborhood



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Printed 5/27/2014



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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Printed 5/27/2014



**MARYLAND DEPARTMENT OF AGRICULTURE
MARYLAND HORSE INDUSTRY BOARD**

50 Harry S. Truman Parkway, Annapolis, Maryland 21401

Telephone (410) 841-5861 Facsimile (410) 841-5780 www.marylandhorseindustry.org

HORSE STABLE LICENSE

**BALTIMORE
BOARDING
HORSE AND HIVE FARM
RYAN FROST
13220 LONG GREEN PIKE
HYDES, MD 21082**

HR #: 1643

LICENSE #: 1787

The person named above is granted this license in accordance with the provisions of Agricultural Article,
Sections 2-701 through 2-719, Annotated Code of Maryland.

POST IN A CONSPICUOUS PLACE

EXPIRES: JUNE 30, 2013

THIS LICENSE IS NON-TRANSFERABLE

Earl F. Hance
Secretary Of Agriculture

EXHIBIT

tabbies

3

MARYLAND DEPARTMENT OF AGRICULTURE

HORSE INDUSTRY BOARD

50 Harry S Truman Parkway

Annapolis, MD 21401

(410) 841-5861

HR # 1643

LIC # _____

POSTED _____

STABLE NAME Horse + Hive Farm

PROPRIETOR'S NAME Ryan Frost

STABLE ADDRESS 13220 Long Green Pike

Hydes MD

ANNUAL _____

INITIAL ✓

REINSP (\$25 FEE) _____

MONITOR _____

COMPLAINT _____

LIVESTOCK \$25 _____

BOARDING (X) SALES () RENTAL () INSTRUCTION ()

	YES	NO	COMMENTS & RECOMMENDATIONS
I. FACILITY			
a. Sturdy	(/)	()	
b. In Good Repair	(/)	()	
c. Well Ventilated / not drafty	(/)	()	
d. Adequate Protection	(/)	()	
e. Neat & Orderly	(/)	()	
f. Dry	(/)	()	
g. Clean	(/)	()	
h. Tools Stored Properly	(/)	()	
i. Manure Accumulation Controlled	(/)	()	
j. Rodents & Flies Controlled	(/)	()	
II. STALLS			
a. Adequate Space	(/)	()	
b. Bedding Sufficient	(/)	()	
c. Bedding Suitable	(/)	()	
d. Cleaned Regularly	(/)	()	
e. Dry	(/)	()	
III. FIELDS / PADDOCKS & OTHER AREAS			
a. Free of Hazards	(/)	()	
b. Fences Sturdy	(/)	()	
c. Fences in Good Repair	(/)	()	
IV. FOOD & WATER			
a. Food Available	(/)	()	
b. Food Quality Adequate	(/)	()	
c. Food Sufficient	(/)	()	
d. Free of Contaminants/Mold	(/)	()	
e. Suitable Containers	(/)	()	
f. Stored Properly	(/)	()	
g. Water Available	(/)	()	
h. Water Quality Adequate	(/)	()	
i. Salt Available	(/)	()	
V. HEALTH CARE			
a. Maintains Basic First Kit	(/)	()	
b. Provides Routine Care	(/)	()	
c. Sick/Injured/Lame Attended to	(/)	()	
VI. RENTAL & INSTRUCTION			
a. Rested Adequately	(X)	()	
b. Girths Loosened	(X)	()	
c. Not Tied To The Bit	(X)	()	
d. Protected From The Weather	(X)	()	
e. Fit For Use	(X)	()	
VII. EQUIPMENT			
a. Tack Clean	(X)	()	
b. Tack Sound	(X)	()	
c. Adjusted Properly	(X)	()	
d. Grooming Equipment	(X)	()	

VIII. Nutrient Management Plan

APPROVED/REJECTED _____

INSPECTOR [Signature]

DATE 9/4/13

DATE _____

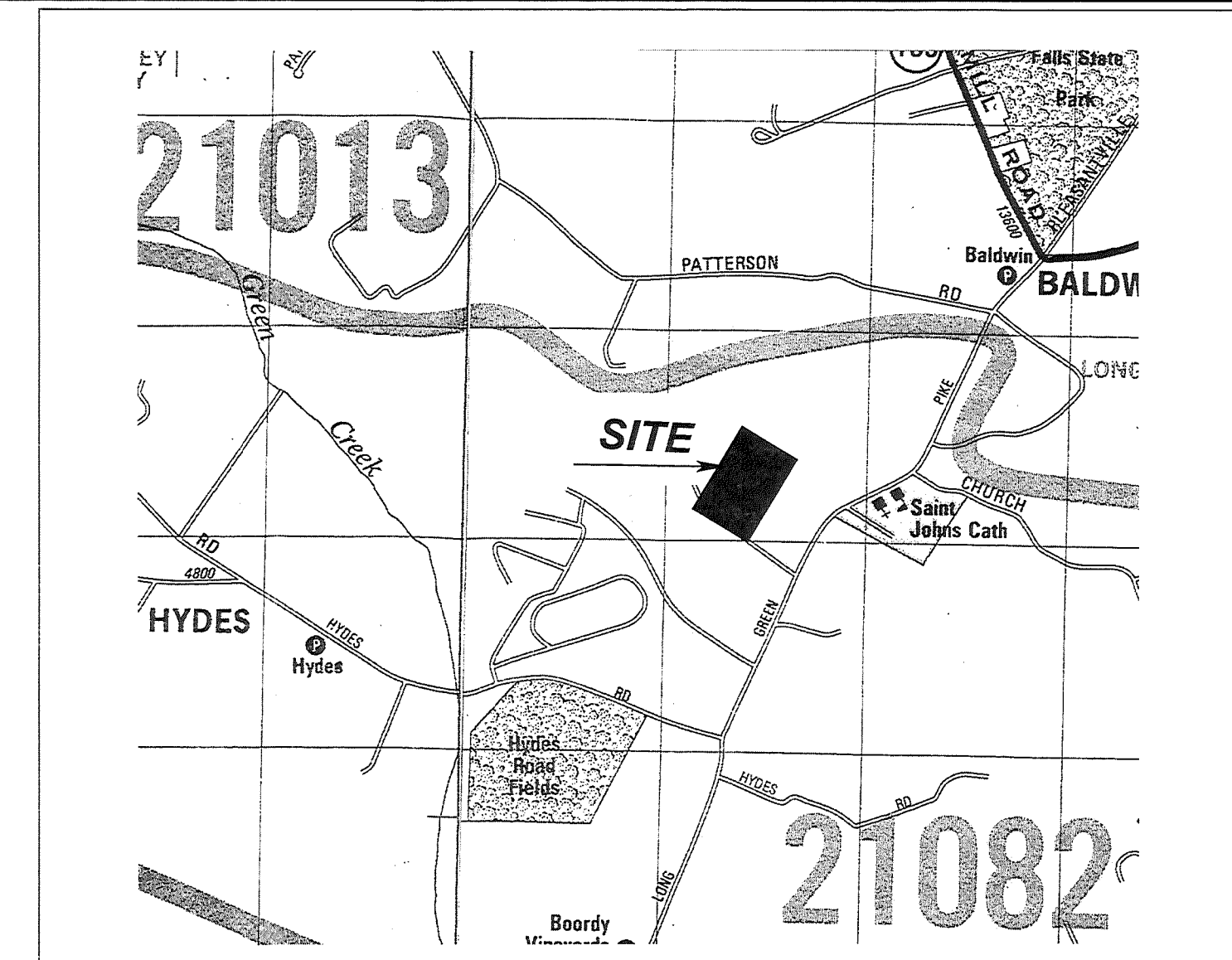
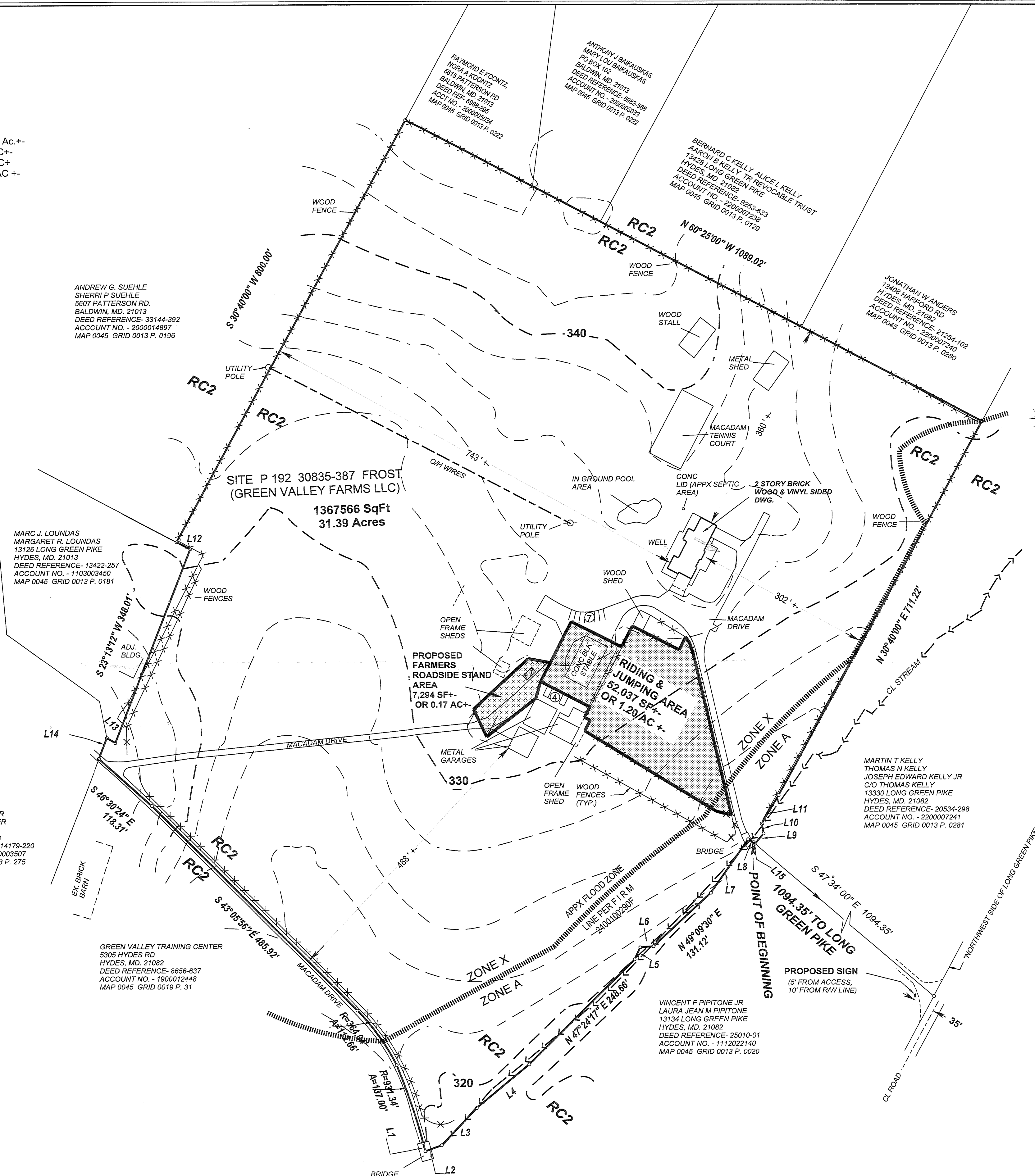


GENERAL NOTES:

1. OWNER: GREEN VALLEY FARMS LLC
13220 LONG GREEN PIKE
HYDES, MD. 21082
PHONE 410-960-2332
2. SITE AREA: 1,367,566 SQ FT +/- OR 31.39 AC +/-
RIDING & JUMPING AREA : 52,037 SQ FT +/- OR 1.20 AC +/-
PROPOSED FARMERS ROADSIDE STAND AREA : 7,294 SQ FT +/- OR 0.17 AC +/-
REMAINDER : 1,308,235 SQ FT +/- OR 30.02 AC +/-
3. UTILITIES:
PRIVATE SEWER
PRIVATE WATER
4. THE SITE LIES WITHIN ZONES "A" AND "X" AS SHOWN
ON F.I.R.M. 2400100280F DATED SEPTEMBER 26, 2008.
5. DEED REF.: 30835-387
6. TAX ACCOUNT: #2500005366
7. COUNCILMANIC DISTRICT: 3
8. CENSUS TRACT: 411201
9. LOWER GUNPOWDER FALLS
10. ZONING: RC2
(PER BALT. CO. "MY NEIGHBORHOOD" WEBSITE)
11. TAX MAP: 0045, PARCEL 0192
12. NO KNOWN PREVIOUS ZONING CASES ON FILE.
13. NO KNOWN PERMITS ON FILE.
14. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE
BAY CRITICAL AREA.
15. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR
IS THE SITE ITSELF HISTORIC.
16. NO KNOWN PREVIOUS DRC MEETINGS
17. HOURS OF OPERATION- DAYLIGHT HOURS 7
DAYS PER WEEK
18. NUMBER OF EMPLOYEES- 1 FULL TIME - 2 PART TIME
19. NO DIRECT HORSE ACCESS TO STREAM
20. EXISTING USES: COMMERCIAL AGRICULTURE,
RESIDENTIAL, ANIMAL BOARDING PLACE,
RIDING STABLE.
21. PROPOSED USES: COMMERCIAL AGRICULTURE,
RESIDENTIAL, ANIMAL BOARDING PLACE,
RIDING STABLE, FARM MARKET.
22. RELIEF SOUGHT: SPECIAL EXCEPTION FOR ANIMAL BOARDING PLACE,
RIDING STABLE AND FARM MARKET.
23. ④ DENOTES PARKING SPACES (11 SHOWN)
24. FARM MARKET WILL COMPLY WITH THE REQUIREMENTS OF
BCZR SECTION 404.4

LINE TABLE

LINE	BEARING	HORIZ DIST
L1	S13°32'35"E	14.86'
L2	N72°16'46"E	29.31'
L3	N45°33'16"E	84.90'
L4	N52°12'57"E	114.46'
L5	N27°19'49"E	22.16'
L6	N87°13'32"E	22.25'
L7	N37°02'08"E	108.69'
L8	S60°25'00"E	10.46'
L9	N42°00'00"E	21.81'
L10	N8°14'20"W	16.78'
L11	N32°40'30"E	55.20'
L12	S60°25'00"E	25.83'
L13	N57°04'19"W	16.43'
L14	S23°13'12"W	37.32'
L15	S45°58'00"E	3.57'



VICINITY MAP NOT TO SCALE

SITE PLAN TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION
#13220 LONG GREEN PIKE

DEED REFERENCE - 30835-387
MAP 0045 GRID 0014 PARCEL 0192
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



DATE: 01-17-2014
SCALE: 1"=100'
JOB NUMBER: 13-1450
DRAWN BY: R.N.G.
CHECKED BY: JSD