

IN RE: **PETITIONS FOR SPECIAL HEARING ***
AND VARIANCE

(4516 Jolly Acres Road)
7th Election District
3rd Council District
Lindsay A. Hash

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0217-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a proposed accessory building (pole barn, 30 ft. W x 48 ft. L x 19 ft. H) which would have a ground floor area larger than the main dwelling. In addition, a Petition for Variance seeks the following: (1) to approve a proposed accessory building (pole barn) with a height of 19 ft. in lieu of the maximum 15 ft.; and (2) to permit the accessory stabling and pasturing of horses (1 existing horse) on a 2.912 acre parcel in lieu of the minimum required 3 acre tract of land. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Lindsay A. Hash. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS). Neither agency opposed the requests. DEPS indicated that prior to issuance of building permits, it must verify that the location of the

ORDER RECEIVED FOR FILING

Date 6/3/15

By Sen

accessory structure will not interfere with the septic system on the property. The DOP recommended Petitioner be restricted to one horse.

PETITION FOR SPECIAL HEARING

The plan reflects the accessory building would be only slightly larger than the single family dwelling. But the lot is large (almost 3 acres) and the building will be located to the rear of the dwelling. In addition, this is a rural setting (i.e., part of Petitioner's property is situated in Harford County) and the pole barn would not appear out of place on the subject property. As such, I believe the request is reasonable and will be granted.

VARIANCES

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test. The site is constrained by existing improvements (including the dwelling, well, septic system and septic reserve area) and is therefore unique. If the B.C.Z.R. were strictly interpreted, Petitioner would experience a practical difficulty, given she would be unable to construct the pole barn to accommodate her horse trailer and other farm equipment. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County and/or community opposition. While the DOP recommended that only one horse be permitted on the property, the lot is almost 3 acres, which (at the 1 animal per acre standard set forth in B.C.Z.R. §100.6) would accommodate 3 horses on the tract. As a compromise, I believe Petitioner should be permitted to keep 2 horses on the property.

ORDER RECEIVED FOR FILING

2

Date

6/3/15

By

sen

THEREFORE, IT IS ORDERED this 3rd day of June, 2015, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve a proposed accessory building (pole barn, 30 ft. W x 48 ft. L x 19 ft. H), with a ground floor area larger than the main dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to approve a proposed accessory building (pole barn) with a height of 19 ft. in lieu of the maximum 15 ft.; and (2) to permit the accessory stabling and pasturing of no more than two (2) horses on a 2.912 acre tract, in lieu of the minimum required 3 acres, be and is hereby GRANTED.

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

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must prior to permit issuance obtain approval from DEPS with regard to the proposed location of the pole barn.
3. The proposed structure must be located at least 16 feet from the side property line, so that the foundation does not interfere with the 15 foot wide drainage and utility easement shown on the plan.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6/3/15

By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 4516 Jolly Acres Rd which is presently zoned RC-2

Deed References: _____ 10 Digit Tax Account # 1600009316

Property Owner(s) Printed Name(s) Lindsay A Hash

(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. A proposed accessory building (pole barn - 30'Wx48'Lx19'H), which is not subordinate and customarily incidental to and on the same lot with the main dwelling as per "Definition" in Section 101 of the BCZR.

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

3. ☒ a Variance from Section(s) 400.3 of BCZR, to approve a proposed accessory building (pole barn) with a height of 19 feet in lieu of the maximum allowed 15 feet; and from Section 100.6 of BCZR, to permit the accessory and pasturing of horses (1 existing horse) in a 2.912 acres in lieu of minimum required 3 acres tract of land, with 1 horse for each acre of grazing or pasture land.

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)

PROPOSED 30 X 48 FT. POLE BARN WITH AN OVERALL HT. OF 19 FT

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Lindsay A Hash
Name #1 - Type or Print _____ Name #2 - Type or Print _____

Lindsay Hash
Signature #1 _____ Signature #2 _____

4516 Jolly Acres Rd White Hall MD
Mailing Address _____ City _____ State _____

21161 1443280 3246 1Lhash90@gmail.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

SAME
Name - Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2015-0217-SPHA Filing Date 4/2/15 Do Not Schedule Dates: _____ Reviewer AT

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2015-0217-SPHA

Petitioner: Lindsay A. Hash

Address or Location: 4516 Jolly Acres Rd White Hall, MD 21161

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lindsay A. Hash

Address: 4516 Jolly Acres Rd
White Hall, MD 21161

Telephone Number: 443-286-3246



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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3269531

Sold To:

Lindsay Hash - CU00441849
4516 Jolly Acres Rd
White Hall, MD 21161-9732

Bill To:

Lindsay Hash - CU00441849
4516 Jolly Acres Rd
White Hall, MD 21161-9732

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

May 12, 2015

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2015-0217-SPHA
4516 Jolly Acres Road
NW/4 Jolly Acres, 585 ft. NW of centerline of Old York Road
7th Election District - 3rd Councilmanic District
Legal Owner(s) Lindsay Hash

Special Hearing to approve a proposed accessory building (pole barn, 30 ft. W x 48 ft. L x 19 ft. H), which is not subordinate and customarily incidental to and on the same lot with the main dwelling as per "Definition" in Section 101 of the BCZR.

Variance to approve a proposed accessory building (pole barn) with a height of 19 feet in lieu of the maximum allowed 15 feet; and from Section 100.6 of BCZR, to permit the accessory and pasturing of horses (1 existing horse) in a 2.912 acres in lieu of the minimum required 3 acres tract of land, with 1 horse for each acres of grazing or pasture land.

Hearing: Monday, June 1, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

IT 5/678 May 12 3269531

CERTIFICATE OF POSTING

2015-0217-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lindsay Hash

June 1, 2015

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

4516 Jolly Acres Rd

May 12, 2015

The sign(s) were posted on _____

(Month, Day, Year)



Sincerely,

May 12, 2015

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

April 22, 2015

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

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: 2015-0217-SPHA

4516 Jolly Acres Road
NW/s Jolly Acres, 585 ft. NW/of centerline of Old York Road
7th Election District – 3rd Councilmanic District
Legal Owners: Lindsay Hash

Special Hearing to approve a proposed accessory building (pole barn, 30 ft. W x 48 ft. L x 19 ft. H), which is not subordinate and customarily incidental to and on the same lot with the main dwelling as per "Definition" in Section 10.1 of the BCZR. Variance to approve a proposed accessory building (pole barn) with a height of 19 feet in lieu of the maximum allowed 15 feet; and from Section 100.6 of BCZR, to permit the accessory and pasturing of horses (1 existing horse) in a 2.912 acres in lieu of the minimum required 3 acres tract of land, with 1 horse for each acre of grazing or pasture land.

Hearing: Monday, June 1, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Lindsay Hash, 4516 Jolly Acres Road, White Hall 21161

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 12, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 12, 2015 Issue - Jeffersonian

Please forward billing to:
Lindsay Hash
4516 Jolly Acres Road
White Hall, MD 21161

443-286-3246

NOTICE OF ZONING HEARING

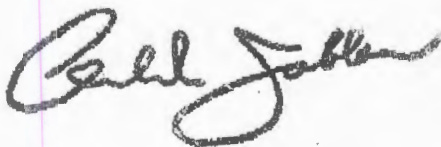
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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Special Hearing to approve a proposed accessory building (pole barn, 30 ft. W x 48 ft. L x 19 ft. H), which is not subordinate and customarily incidental to and on the same lot with the main dwelling as per "Definition" in Section 101 of the BCZR. Variance to approve a proposed accessory building (pole barn) with a height of 19 feet in lieu of the maximum allowed 15 feet; and from Section 100.6 of BCZR, to permit the accessory and pasturing of horses (1 existing horse) in a 2.912-acres in lieu of the minimum required 3 acres tract of land, with 1 horse for each acre of grazing or pasture land.

Hearing: Monday, June 1, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
4516 Jolly Acres Road; NW/S Jolly Acres	*	OF ADMINISTRATIVE
Road, 585' NW of Old York Road		
7 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Lindsay A. Hash		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-217-SPHA

* * * * *

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

APR 23 2015

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of April, 2015, a copy of the foregoing Entry of Appearance was mailed to Lindsay Hash, 4516 Jolly Acres Road, White Hall, Maryland 21161, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMORANDUM

DATE: July 6, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0217-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on July 3, 2015. 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

CASE NAME 2015-0217 SPA
CASE NUMBER _____
DATE 6/1/15

4514 Jolly
Aires Rd

[illegible]

CASE NO. 2015-0217 SPHA

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
5/15/15	DEPS (if not received, date e-mail sent _____)	C
_____	FIRE DEPARTMENT	_____
5/11/15	PLANNING (if not received, date e-mail sent _____)	Approved w/ comment
4/24/15	STATE HIGHWAY ADMINISTRATION	no obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: 5/12/15		
SIGN POSTING Date: 5/12/15 by SW Block		
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

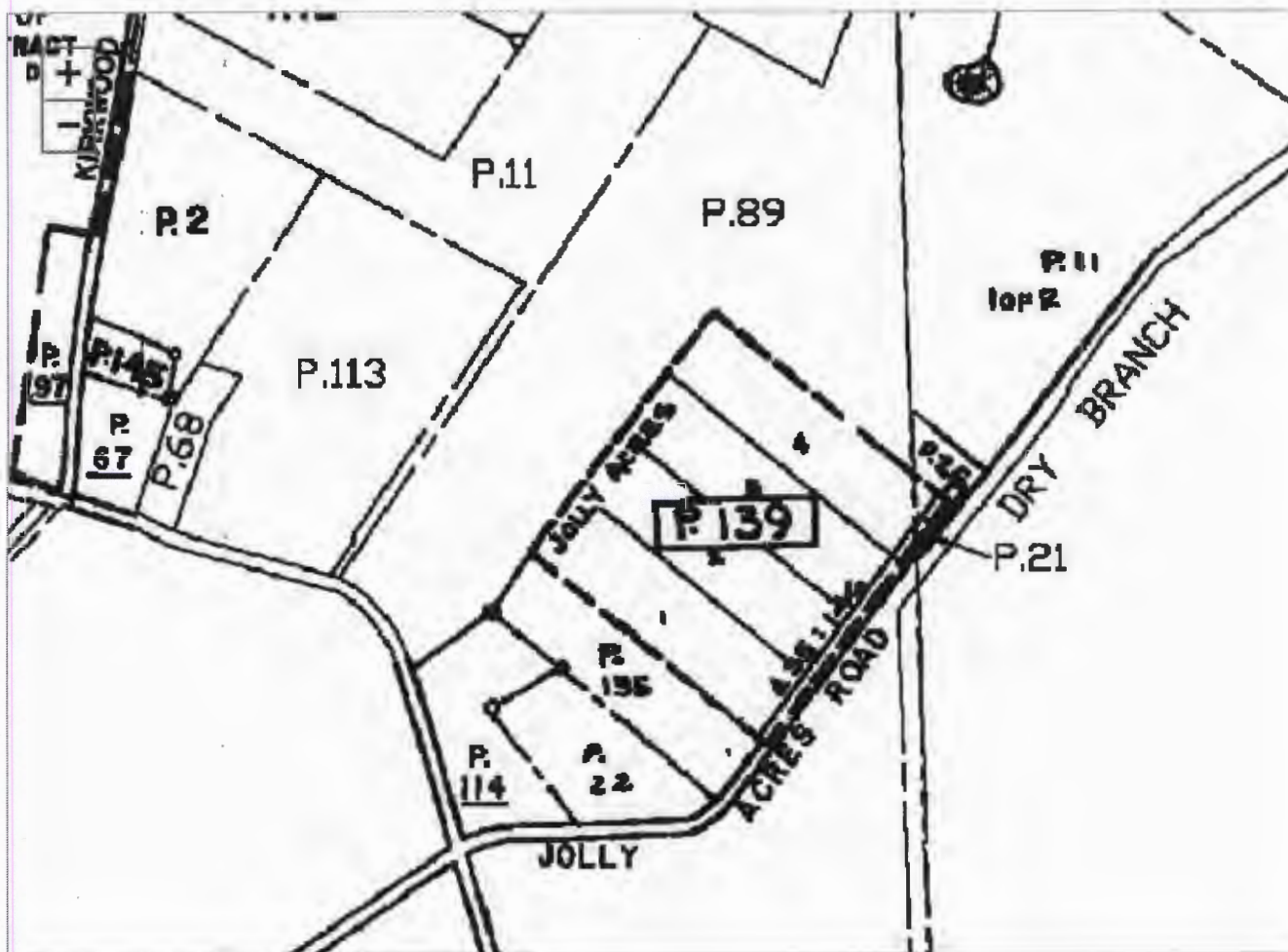
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 07 Account Number - 1600009316			
Owner Information					
Owner Name:	HASH LINDSAY		Use:	RESIDENTIAL	
Mailing Address:	4516 JOLLY ACRES RD WHITE HALL MD 21161-		Principal Residence:	YES	
			Deed Reference:	/35058/ 00316	
Location & Structure Information					
Premises Address:		4516 JOLLY ACRES RD 0-0000		Legal Description: 2.639 AC PRT LT 3 4516 JOLLY ACRES RD NW JOLLY ACRES	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0013	0011	0139		0000	3 2014 0035/0146
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1979	1,234 SF	900 SF	2.6300 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Split Foyer	YES	SPLIT FOYER	SIDING	2 full	
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	104,600	94,200			
Improvements	60,400	151,700			
Total:	165,000	245,900	191,967	218,933	
Preferential Land:	0			0	
Transfer Information					
Seller: HASH RONALD L		Date: 06/11/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /35058/ 00316		Deed2:	
Seller: CHILDS RANDY R CHILDS DAWN		Date: 04/25/2012		Price: \$165,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /31985/ 00023		Deed2:	
Seller: CHILDS RANDY R		Date: 10/05/2007		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26244/ 00143		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Approved 08/05/2014					

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **07** Account Number: **1600009316**

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/>)

☒ Loading... Please Wait. Loading... Please Wait.

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KEVIN KAMENETZ
County Executive

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

May 21, 2015

Lindsay A Hash
4516 Jolly Acres Road
White Hall MD 21161

RE: Case Number: 2015-0217 SPHA, Address: 4516 Jolly Acres Road

Dear Mr. Hash:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 2, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Maryland Department of Transportation

Pete K. Rahn, Secretary
Melinda Peters, Administrator

Date: 4/27/15

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

RE: Baltimore County
Item No. 2015-0217-SPHA
Special Hearing Variance
Lindsay A. Hask
4516 Jolly Acres Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0217-SPHA.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

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

BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence****RECEIVED****MAY 15 2015****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: May 15, 2015

SUBJECT: DEPS Comment for Zoning Item # 2015-0217-SPHA
Address 781 Eastern Avenue
(Hash Property)

Zoning Advisory Committee Meeting of April 20, 2015.

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

Since the proposed barn on the plan appears to be in close proximity to the septic reserve area, including the trenches, Ground Water Management must review any future building permits for this site (which is 4516 Jolly Acres Rd).

Reviewer: *Dan Esser – Groundwater Management*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4516 Jolly Acres Road

RECEIVED

INFORMATION:

MAY 14 2015

Item Number: 15-217

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Lindsay H. Hash

Zoning: RC 2

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to approve an accessory structure not subordinate in area to the principal dwelling and the Petition for Variance to permit an accessory structure with a height of 19 feet and the accessory stabling and pasturing of large livestock (horse) on a tract of land of less than 3 acres in lieu of the required 15 feet and minimum 3 acres respectively.

The Department of Planning recommends granting the petitioned approval and variance relief conditioned upon the following:

- The number of large livestock should be limited to a single horse

For further information concerning the matters stated here in, please contact Wallace S. Lippincott, Jr. at 410-887-3480.

Division Chief: Kathy Schlabach
AVA/KS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For April 27, 2015
Item No. 2015-0217

DATE: April 27, 2015

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

Proposed garage should be set back at least 16 feet away from the side property line, so that foundation does not encroach on the existing 15-foot-wide drainage and utility easement.

* * * * *

DAK: CEN
cc:file

ZAC-ITEM NO 15-0217-04272015.doc

5/20/15
WCR

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4516 Jolly Acres Road

INFORMATION:

Item Number: 15-217

Petitioner: Lindsay H. Hash

Zoning: RC 2

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to approve an accessory structure not subordinate in area to the principal dwelling and the Petition for Variance to permit an accessory structure with a height of 19 feet and the accessory stabling and pasturing of large livestock (horse) on a tract of land of less than 3 acres in lieu of the required 15 feet and minimum 3 acres respectively.

The Department of Planning recommends granting the petitioned approval and variance relief conditioned upon the following:

- The number of large livestock should be limited to a single horse

For further information concerning the matters stated here in, please contact Wallace S. Lippincott, Jr. at 410-887-3480.

Division Chief: Kathy Schabach
AVA/KS

EAST SIDE OF PROPERTY
AREA PROPOSED BUILDING SITE



VHDS-6120-5102
2015-0219-SPHA



2015-0217-SPHA

NEAR SIDE OF PROPERTY

FRONT OF PROPERTY



2015-0217-SPH7A



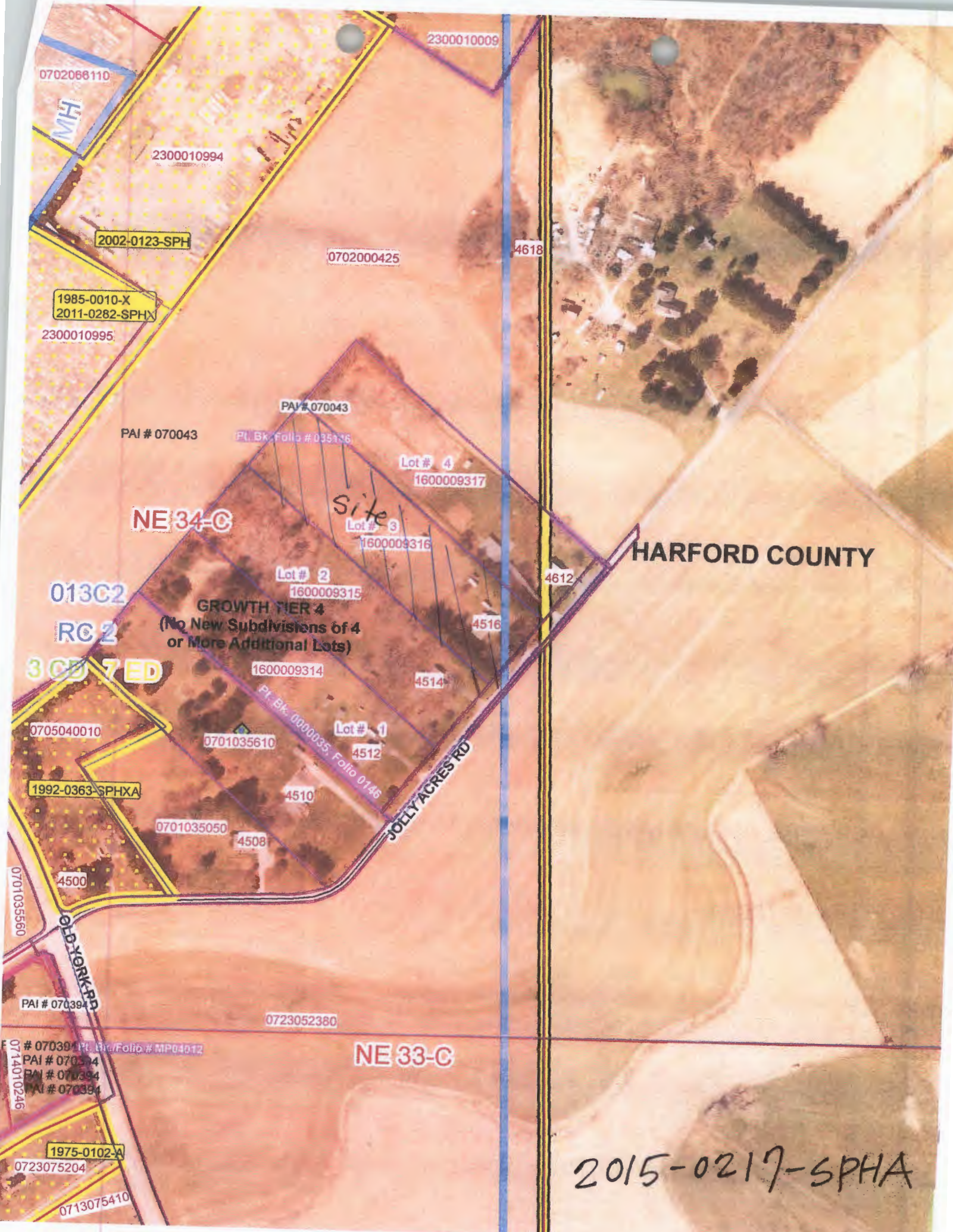
REAR OF PROPERTY

2015-0310-SPHA



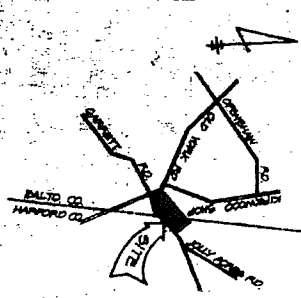
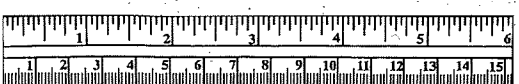
Front of House from 1st floor

2015-0217-A



HARFORD COUNTY

2015-0217-SPHA



VICINITY MAP
Scale 1"=200'

APPROVED, BALTIMORE COUNTY PLANNING BOARD
Acting Director: *[Signature]* 9/22/72

APPROVED
County Board Engineer: *[Signature]* 9/22/72

APPROVED
Deputy Board & County Board Officer: *[Signature]* 9/22/72

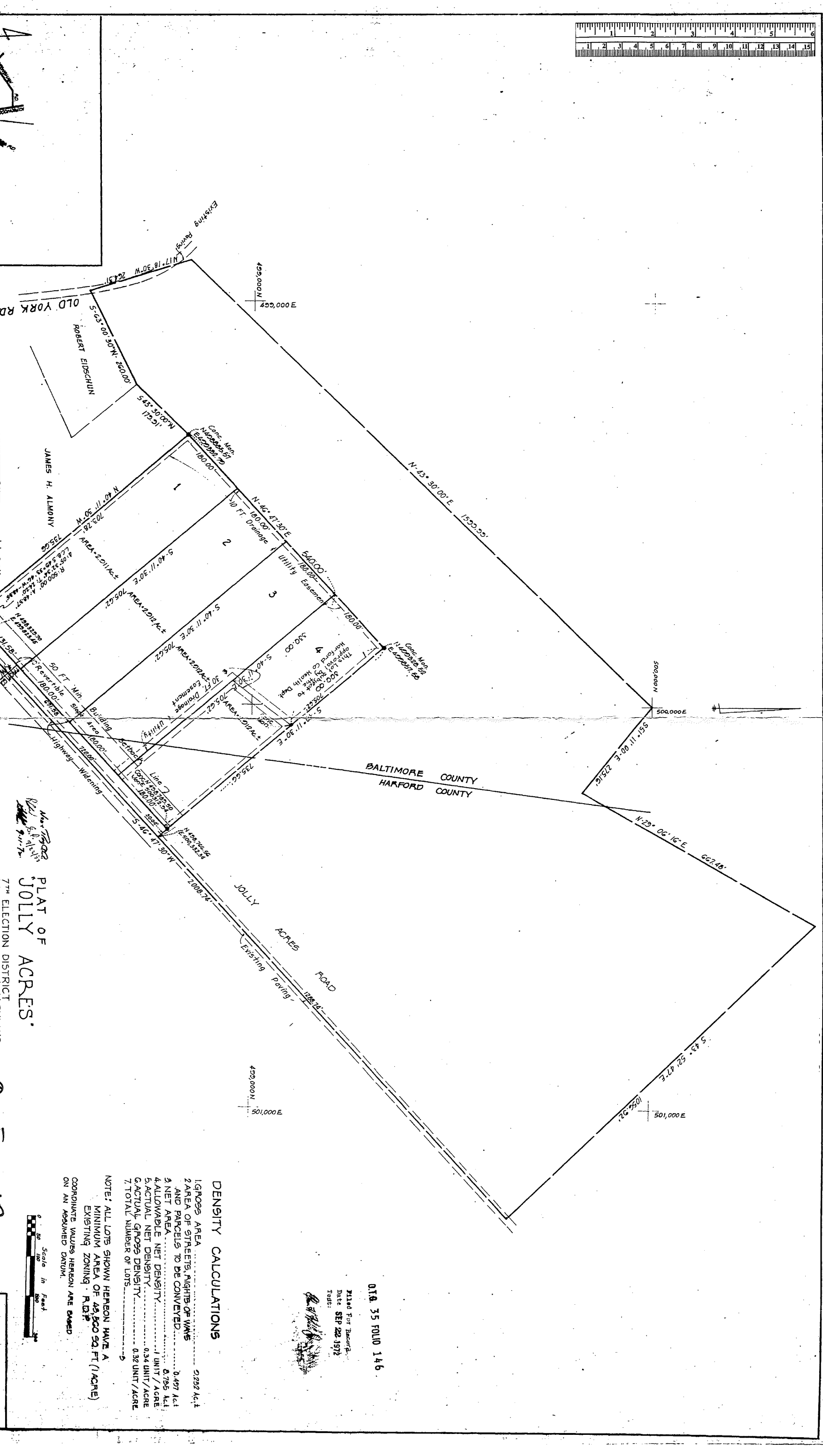
NOTE
The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title to the lands thereof is expressly reserved in the grantor of the deed to which this plat is attached; their heirs and assigns.

OWNER'S CERTIFICATE
The requirements of Section 78 B, Article 17 of the Annotated Code of Maryland (Title 187 Supplement) as far as they relate to the making of this plat have been complied with.
By: *[Signature]* Date: *[Date]*

SURVEYOR'S CERTIFICATE
I, Malcolm E. Hickling, a registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of lands known as House Bill 458, Chapter 1016 of the Acts of 1945 and subsequent Acts amendatory thereto.

2015-0219-SPHA

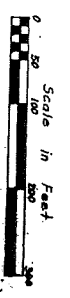
MALCOLM E. HICKLING
508 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204



DENSITY CALCULATIONS

1. GROSS AREA	2.233 Ac.±
2. AREA OF STREETS, RIGHTS OF WAYS AND PARCELS TO BE CONVEYED	0.497 Ac.±
3. NET AREA	0.735 Ac.±
4. ALLOWABLE NET DENSITY	1 UNIT / ACRE
5. ACTUAL NET DENSITY	0.34 UNIT / ACRE
6. ACTUAL GROSS DENSITY	0.32 UNIT / ACRE
7. TOTAL NUMBER OF LOTS	3

NOTE: ALL LOTS SHOWN HEREON HAVE A MINIMUM AREA OF 40,000 SQ. FT. (1 ACRE) EXISTING ZONING: R10P
COORDINATE VALUES HEREON ARE BASED ON AN ASSUMED DATUM.



018.35 FOLIO 146

Filed For Record
Date: SEP 22 1972
Taxes:

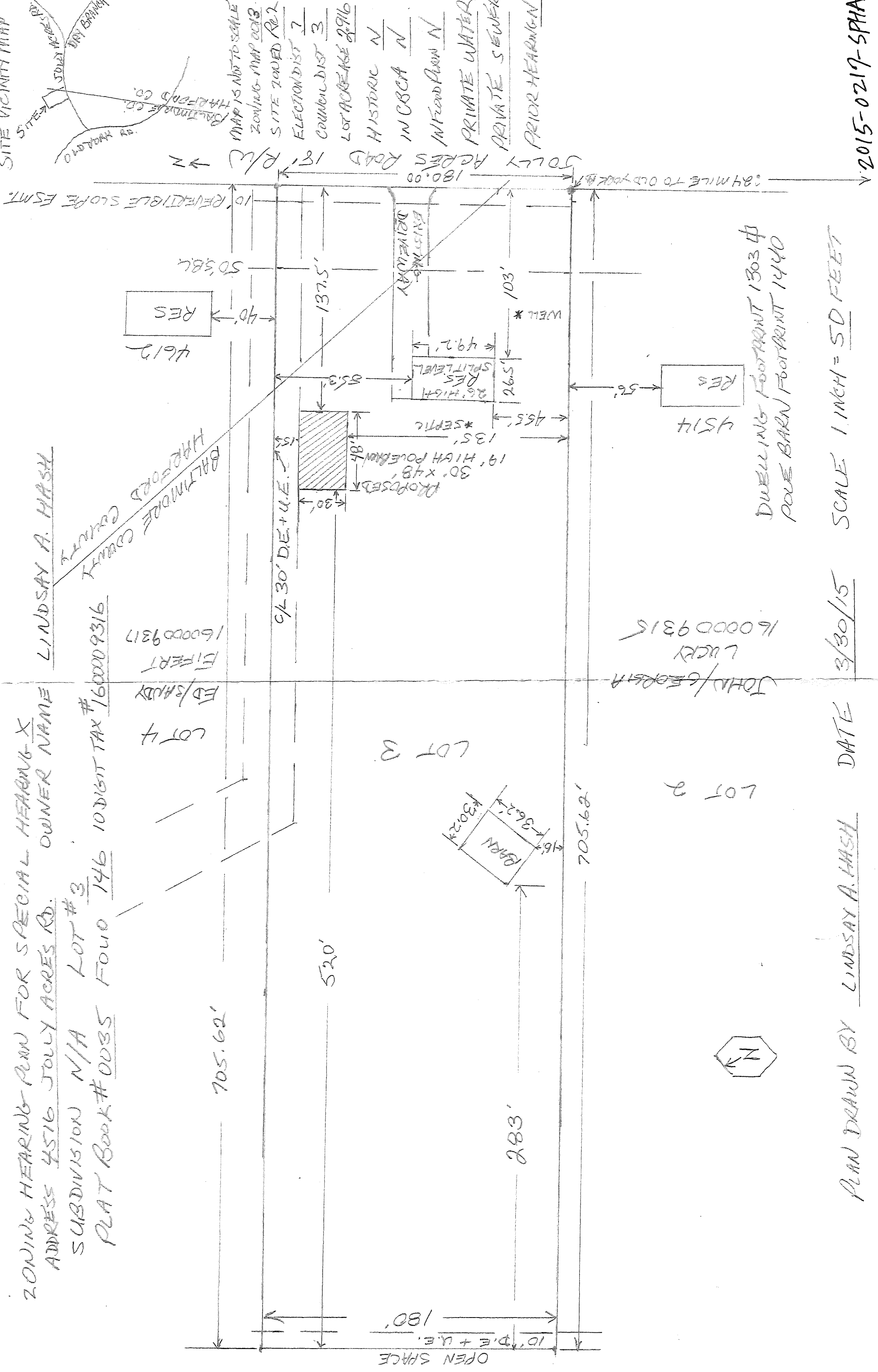
ZONING HEARING PLAN FOR SPECIAL HEARING X
 ADDRESS 4516 JOLLY ACRES RD. OWNER NAME
 SUBDIVISION N/A LOT #3
 PLAT BOOK #0085 FOLIO 146 10 DIGIT TAX #160009316

LINDSAY A. HASH

BALTIMORE COUNTY
 HARFORD COUNTY

LOT 4
 ED/SHADY
 EIFFERT
 160009317

JOHN/GEORGE
 LUCKY
 160009315



PLAN DRAWN BY LINDSAY A. HASH

DATE 3/30/15

SCALE 1 INCH = 50 FEET

2015-0217-SPHA

ADDRESS 4516 JOLLY ACRES RD. OWNER NAME LINDSAY A. HASH

SUBDIVISION N/A LOT #3
PLAT BOOK # 0035 FOLIO 146 10 DIGIT TAX # 1600009316

705.62'

520'

283'

705.62'



LOT 2

LOT 3

LOT 4

ED/SANDY
EIFERT
1600009317

JOHN/GEORGIA
LUCKY
1600009315

BALTIMORE COUNTY
HARFORD COUNTY

PROPOSED
30' x 48'
19' HIGH POLE BARN

135' *SEPTIC

26' HIGH
RES
SPLIT LEVEL

WELL *

4612
RES

4514

RES

DWELLING FOOTPRINT 1303 SF
POLE BARN FOOTPRINT 1440

50' SBL

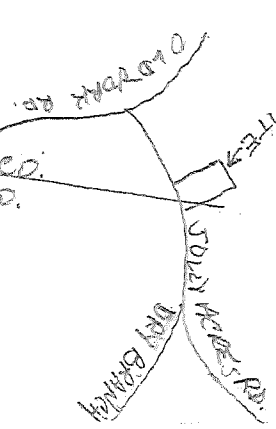
10' REVERTIBLE SLOPE ESM

JOLLY ACRES ROAD 18' R/W

2.84 MILE TO OLD YORK RD

MAP IS NOT TO SCALE
ZONING MAP 0003
SITE 200ED Re2
ELECTION DIST 7
COUNCIL DIST 3
LOT ACRES 2.916
HISTORIC N
IN CBCH N
IN FLOODPLAIN N
PRIVATE WATER
PRIVATE SEWER
PRIOR HEADLINE

BALTIMORE CO.
HARFORD CO.



PLAN DRAWN BY LINDSAY A. HASH

DATE 3/30/15

SCALE 1 INCH = 50 FEET

2015-0219-SPHA