NS 8-5-16

KEVIN KAMENETZ
County Executive

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

September 30, 2016

RECEIVED
SEP 30 2016
BALTIMORE COUNTY
BOARD OF APPEALS

Winsome Beckford
8659 Winands Road
Randallstown, Maryland 21133

RE: **APPEAL TO BOARD OF APPEALS (Motion for Reconsideration)**
Case Nos. 2016-0314-A
Location: 8659 Winands Road

Dear Ms. Beckford:

Please be advised that an appeal of the above-referenced case was filed in this Office on September 28, 2016. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Susan McCormick, 1616 Dennis Avenue, Towson, Maryland 21204
Muriel Howard, 8661 Winands Road, Randallstown, Maryland 21133

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

April 18, 2017

Ms. Winsome Beckford
8659 Winands Road
Randallstown, Maryland 21133

RE: *In the Matter of: Winsome Beckford*
Case No.: 16-314-A

Dear Ms. Beckford:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Sunny Cannington Han

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure

c: Susan McCormick
Muriel R. Howard
Saralee Bernstein
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Deputy Administrative Officer and Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

IN THE MATTER OF WINSOME BECKFORD 8659 Winands Road 2nd Election District ; 4th Councilmanic District	*	BEFORE THE
	*	BOARD OF APPEALS
	*	OF
RE: Petition for Variance relief from Baltimore County Zoning Regulations 100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre)	*	BALTIMORE COUNTY
	*	Case No. 16-314-A
	*	

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

OPINION

This matter comes to the Board of Appeals on appeal by Winsome Beckford (the "Petitioner") of (a) the Opinion and Order issued by John E. Beverungen, Administrative Law Judge for Baltimore County, dated August 8, 2016 denying Petitioner's request for variance relief from Baltimore County Zoning Regulations ("BCZR") Section 100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre) and (b) the Order issued by Judge Beverungen dated September 9, 2016 denying the Petitioner's Motion for Reconsideration.

In the proceedings before the Board, the Petitioner was not represented by counsel. Petitioner's neighbor, Muriel Howard, attended the hearing and opposed the request for variance relief.

A hearing was held before the Board on November 17, 2016, and the Board held a public deliberation on January 19, 2017.

STATEMENT OF FACTS

The Petitioner is the owner of the property located at 8659 Winands Road, Randallstown, Maryland 21133 (the "Property"). The Property is 9,997 square feet in size and is zoned DR 3.5.

The Property further is improved with a single family dwelling, and the rear yard of the Property is fenced and includes a coop for housing chickens. Petitioner testified at the hearing that, since April 2015, she has kept up to six chickens in her rear yard to produce organic eggs for her daughter, who suffers from kidney failure and requires a special diet that includes organic eggs or foods prepared with organic eggs. Petitioner also testified that, at the time that she purchased her chickens, she had been unaware of any zoning restrictions that would preclude her from raising chickens in her yard.

DECISION

BCZR § 100.6 establishes a minimum lot size of one acre – or 43,560 square feet – for the "stabling and pasturing" of chickens in Baltimore County. Because the Property is only 9,997 square feet in size, Petitioner seeks a variance from the requirements of Section 100.6. Pursuant to BCZR § 307.1, the Board has the power to grant a variance from the BCZR's area regulations "only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship."

The Court of Special Appeals has set forth the analytical framework for considering a request for a variance:

> [I]t is at least a two-step process. The first step requires a finding that the property whereon structures are to be placed (or uses conducted) is – in and of itself – unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property. 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. If that first step results in a supportable finding of uniqueness or

> unusualness, then a second step is taken in the process, *i.e.*, a determination of whether practical difficulty and/or unreasonable hardship, resulting from the disproportionate impact of the ordinance *caused by* the property's uniqueness, exists.

Cromwell, 102 Md. App. at 694-95, 651 A.2d at 426.

The *Cromwell* Court emphasized that "[t]he need for a variance must be due to the unique circumstances of the property and not to the general conditions in the neighborhood." *Id.* at 717, 651 A.2d at 437. "'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions." *Id.* at 710, 651 A.2d at 433-34. Moreover, variance relief cannot be "based on reasons personal to the applicant," rather than the uniqueness of the property in question. *Id.* at 720, 651 A.2d at 438.

In the case before the Board, there was no evidence presented by the Petitioner that the Property itself is unique. To the contrary, the Property appears to be similar in all material respects to the other properties in the neighborhood. Rather than the unique characteristics of the Property itself, the driving force behind Petitioner's request for a variance to maintain chickens on the Property is the health of her daughter. While unanimous in its sympathy for the Petitioner and the significant health challenges that her daughter faces, the Board is constrained to apply the law relating to variances as instructed by the Court of Special Appeals. The *Cromwell* Court specifically observed that "a variance granted to take care of some hardship personal to the applicant is not a unique hardship resulting from circumstances peculiar to the piece of land." 102 Md. App. at 720-21, 651 A.2d at 439. Because the Property is not "in any way peculiar,

unusual, or unique when compared to other properties in the neighborhood," the Board must deny the Petitioner's request for a variance under BCZR § 307.1. *Id.* at 726, 651 A.2d at 441.

ORDER

THEREFORE, it is this 18th day of April, 2017, by the Board of Appeals of Baltimore County,

ORDERED, that the Petition for Variance seeking relief from Section 100.6 of the Baltimore County Zoning Regulations to permit the accessory stabling of poultry on the property located at 8659 Winands Road – a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre) – be and is hereby **DENIED.**

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules.

BOARD OF APPEALS
OF BALTIMORE COUNTY

Andrew M. Belt, Panel Chair

Jason S. Garber

James H. West

PE ION FOR ZONING HEAI G(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 8659 WINANDS RD which is presently zoned DR3.5

Deed References: 17298 / 00345 10 Digit Tax Account # 1 9 0 0 0 0 2 8 3 3

Property Owner(s) Printed Name(s) WINSOME BECKFORD

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

3. X a Variance from Section(s) 100.6A TO PERMIT THE ACCESSORY STABLING OF POULTRY ON A TRACT OF LAND OF 9,997 sq. ft. IN LIEU OF THE MINIMUM REQUIRED 43,560 sq. ft. (1 ACRE)

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 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

Legal Owners (Petitioners):

WINSOME BECKFORD

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

Signature #1 Signature # 2

8659 WINANDS RD, RANDALLSTOWN MD

Mailing Address City State

21133 / 410-496-4370 /

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING 8-8-16 Date By

Representative to be contacted:

SUSAN McCORMICK

Name - Type or Print

Susan McCormick

Signature

1616 DENNIS AVE, TOWSON MD

Mailing Address City State

21204 / 410-952-5484 / spicemom0203@comcast.net

Zip Code Telephone # Email Address

CASE NUMBER 2016-0314-A Filing Date 6/8/16 Do Not Schedule Dates: _____ Reviewer AT

REV. 10/4/11

PE ION FOR ZONING HEAI G(S)

To be filed with the Department of Permits, Approva... ...d Inspections

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

Address 8659 WINANDS RD which is presently zoned DR 3.5

Deed References: 17298 / 00345 10 Digit Tax Account # 1 9 0 0 0 2 8 3 3

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Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

WINSOME BECKFORD

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

Signature #1 Signature # 2

8659 WINANDS RD, RANDALLSTOWN MD

Mailing Address City State

21133 / 410-496-4370 /

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING 8-8-16

Date

By

Representative to be contacted:

SUSAN McCORMICK

Name - Type or Print

Susan McCormick

Signature

1616 DENNIS AVE, TOWSON MD

Mailing Address City State

21204 / 410-952-5484 / spicemom0203@comcast.net

Zip Code Telephone # Email Address

CASE NUMBER 2016-0314-A Filing Date 6/8/16 Do Not Schedule Dates: Reviewer AT

REV. 10/4/11

ZONING PROPERTY DESCRIPTION FOR 8659 Winands Road

PART A

Beginning at a point on the SOUTH side of Winands Road which is 70' R/W wide at the distance of 203' WEST of the centerline of Rouen Road which is 50' R/W wide.

PART B – OPTION 2

Being Lot #5, Block A, in the subdivision of Winands Corner as recorded in Baltimore County Plat Book #48, Folio #18, containing 9,997' total square feet, located in the 2nd Election District and the 4th Council District.

PETITION FOR VARIANCE—Section 100.6—

To permit the accessory stabling of poultry on a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre).

2016-0314-A

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

No. 139384

Date: 6/8/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				$75
						Total:		$75

Rec From: WINSOME BECKFORD

For: 8659 WINANDS ROAD

2016-0314-A

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

PAID RECEIPT
BUSINESS ACTUAL TIME DRW
6/09/2016 6/08/2016 11:13:06 2
B G 0502 MAIL JEE
RECEIPT # 967747 6/08/2016 OFLH
Dept 5 528 ZONING VERIFICATION
NO. 139384
Recpt Tot $75.00
$75.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

RE: PETITION FOR VARIANCE 8659 Winands Road; S/S Winands Road, 203' W of c/line Rouen Road 2nd Election & 4th Councilmanic Districts Legal Owner(s): Winsome Beckford Petitioner(s)	* * * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2016-314-A

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

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

RECEIVED
JUN 14 2016

Carole S Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of June, 2016, a copy of the foregoing Entry of Appearance was mailed to Susan McCormick, 1616 Dennis Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME Beckford
CASE NUMBER 2016-0314-A
DATE 8-5-16

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Winsome Beckford	8659 Winands Rd	Randallstown MD. 21133	Winkelly8504@Gmail.Com
Susan McCormick	1616 DENNIS Ave	Towson MD 21204	spicemom0203@comcast.net

PLEASE PRINT CLEARLY

CASE NAME Beckford
CASE NUMBER 2016-0314-A
DATE 8-5-2016

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
MURIEL R. HOWARD	8661 WINANDS RD	RANDALLSTOWN MD 21133	RHOWARD429@VERIZON.NET

KEVIN KAMENETZ
County Executive

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

July 28, 2016

Winsome Beckford
8659 Winands Road
Randallstown MD 21133

RE: Case Number: 2016-0314 A, Address: 8659 Winands Road

Dear Mr. Beckford:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 8, 2016. This letter is not an approval, but only a **NOTIFICATION.**

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Susan McCormick, 1616 Dennis Avenue, Towson MD 21204

8-5-16
11 Am

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: June 30, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 16-314

RECEIVED
JUL 06 2016
OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:
Property Address: 8659 Winands Road
Petitioner: Winsome Beckford
Zoning: 16-314
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit existing fowl or poultry (chickens) on a tract of 9,997 sq. ft. of land in lieu of the required minimum one acre.

In response to Baltimore County Council Resolution 73-13, Department staff conducted extensive research and developed recommendations addressing the keeping of fowl or poultry which was approved by the Baltimore County Planning Board in July of 2015 following a public hearing. The recommendations were forwarded to the Council who have not acted upon them. Although now only advisory, the Department asserts that the application of those recommendations/conditions as listed below would have a positive effect in the instant case, ensuring proper conditions for raising healthy chickens, and mitigating the potential negative impacts on public health, rodent populations and water quality.

The Department can support granting the petitioned zoning relief based upon the following conditions:

- A maximum of 6 hens shall be kept on the property with no roosters permitted.
- The hens shall be housed in a well ventilated coop having walls and a roof providing a minimum of 3 square feet per hen located in the rear yard only and occupying not more than 40% thereof. The coop shall have an outdoor run that is adequately fenced, providing at least 4 square feet per hen.
- The floor elevation of the coop shall be a minimum of 8 inches above grade to prevent access by rodents with a total height of the structure limited to 8 feet.
- The coop and associated outdoor run shall be located 25 feet from any neighboring residence and 10 feet from a side or rear property line.
- Coops and outdoor runs must be kept clean, dry and free of all offensive odors and materials that may attract rodents, insects and other pests.

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Susan McCormick
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: June 30, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 16-314

INFORMATION:
Property Address: 8659 Winands Road
Petitioner: Winsome Beckford
Zoning: 16-314
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For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Susan McCormick
Office of the Administrative Hearings
People's Counsel for Baltimore County

8-5-16
11Am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUN 22 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0314-A
Address 8659 Winands Road
(Beckford Property)

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

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

Reviewer: Steve Ford Date: 06-22-2016

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 16-0314-A 8659 Winands Road.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 15, 2016

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2016
Item No. 2016-0314

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

Chicken pens shall be screened from all adjacent neighbors with evergreen shrubs or an opaque fence. Submit Landscape Plan

* * * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0314-06132016.doc

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

State Highway Administration
Maryland Department of Transportation

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

Date: 6/13/16

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

Dear Ms. Lewis:

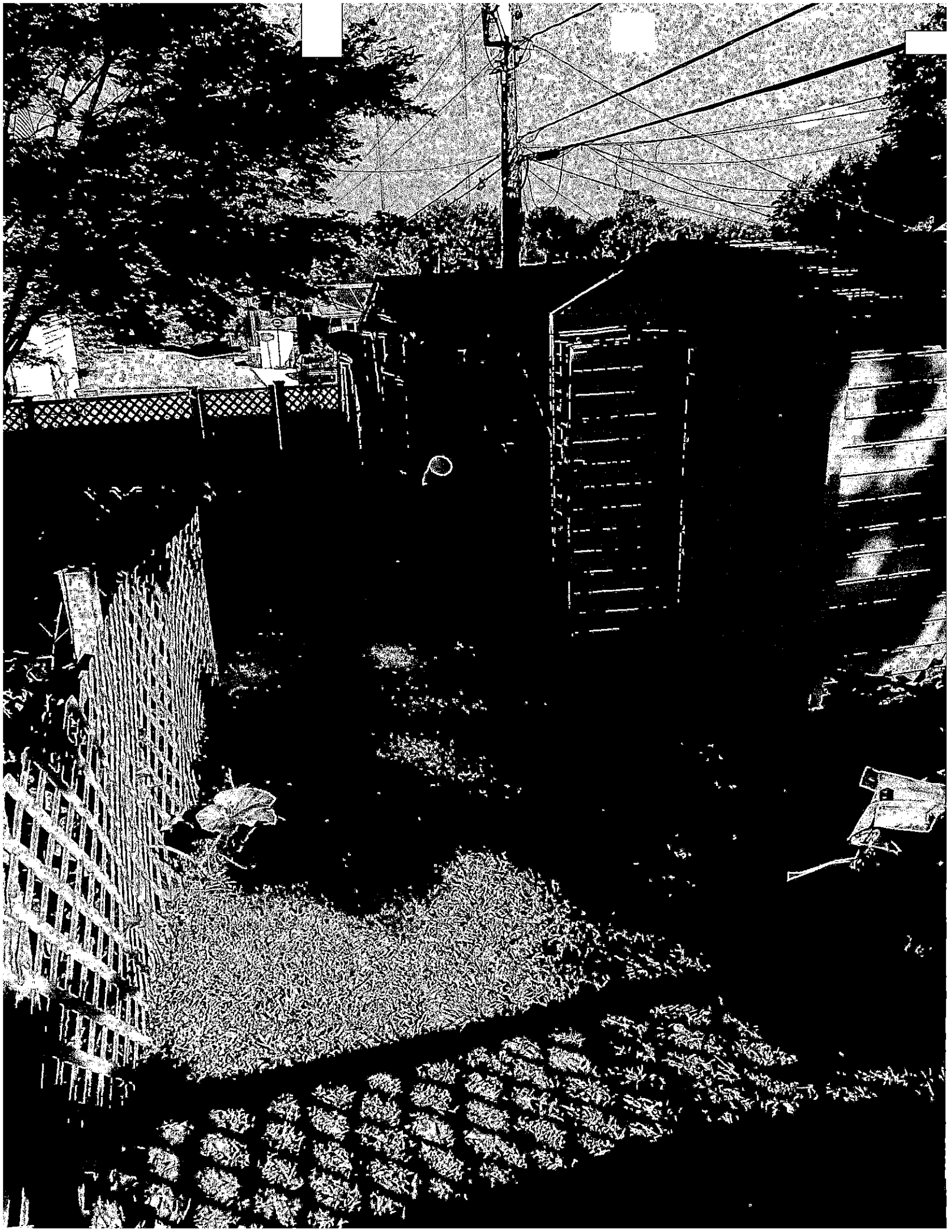
Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2016-0314-A
Variance
Winsome Beckford.
8659 Winands Road

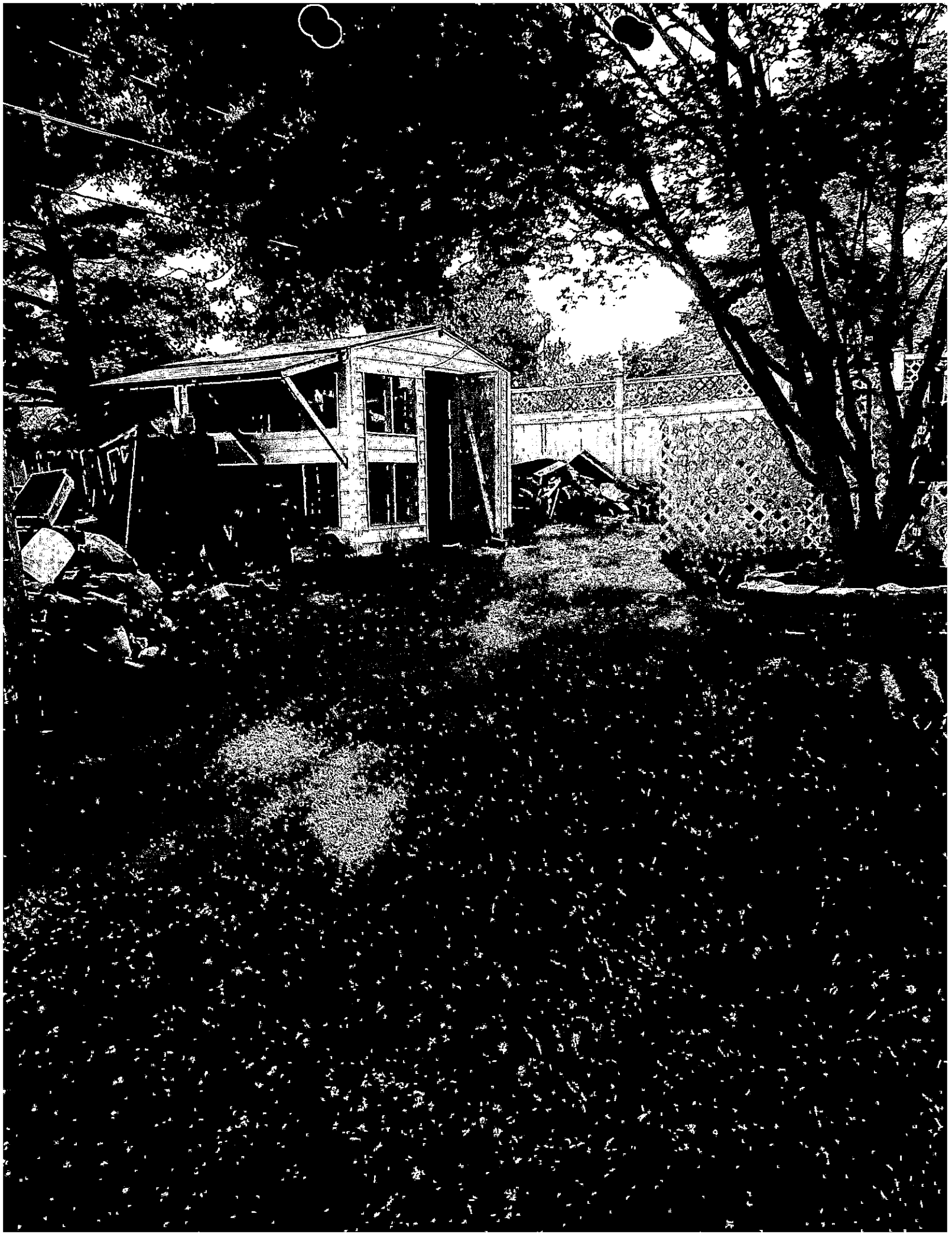
Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

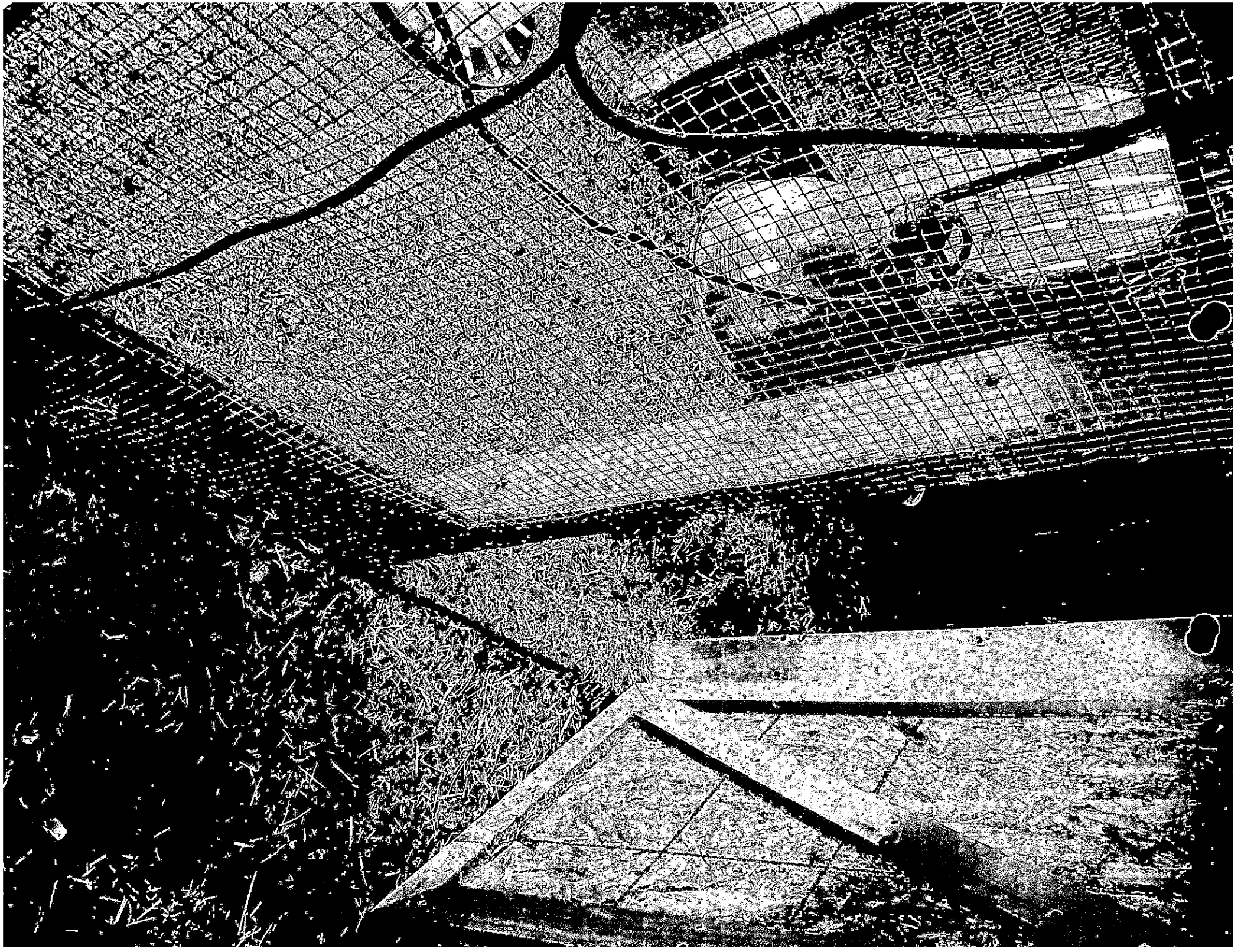
Sincerely,

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

WW/RAZ







ZONING NOTICE

CASE # 2016-0314-A

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

PLACE: JEFFERSON BLDG, TOWSON 21204
105 W. CHESAPEAKE AVE., ROOM 205

DATE AND TIME: FRIDAY, AUG 5, 2016 11 AM

REQUEST: VARIANCE TO PERMIT THE ACCESSORY STABLING OF POULTRY ON A TRACT OF LAND OF 9,997 SQUARE FEET IN LIEU OF THE MINIMUM REQUIRED 43,560 SQUARE FEET (1 ACRE)

8659 WINANDS ROAD

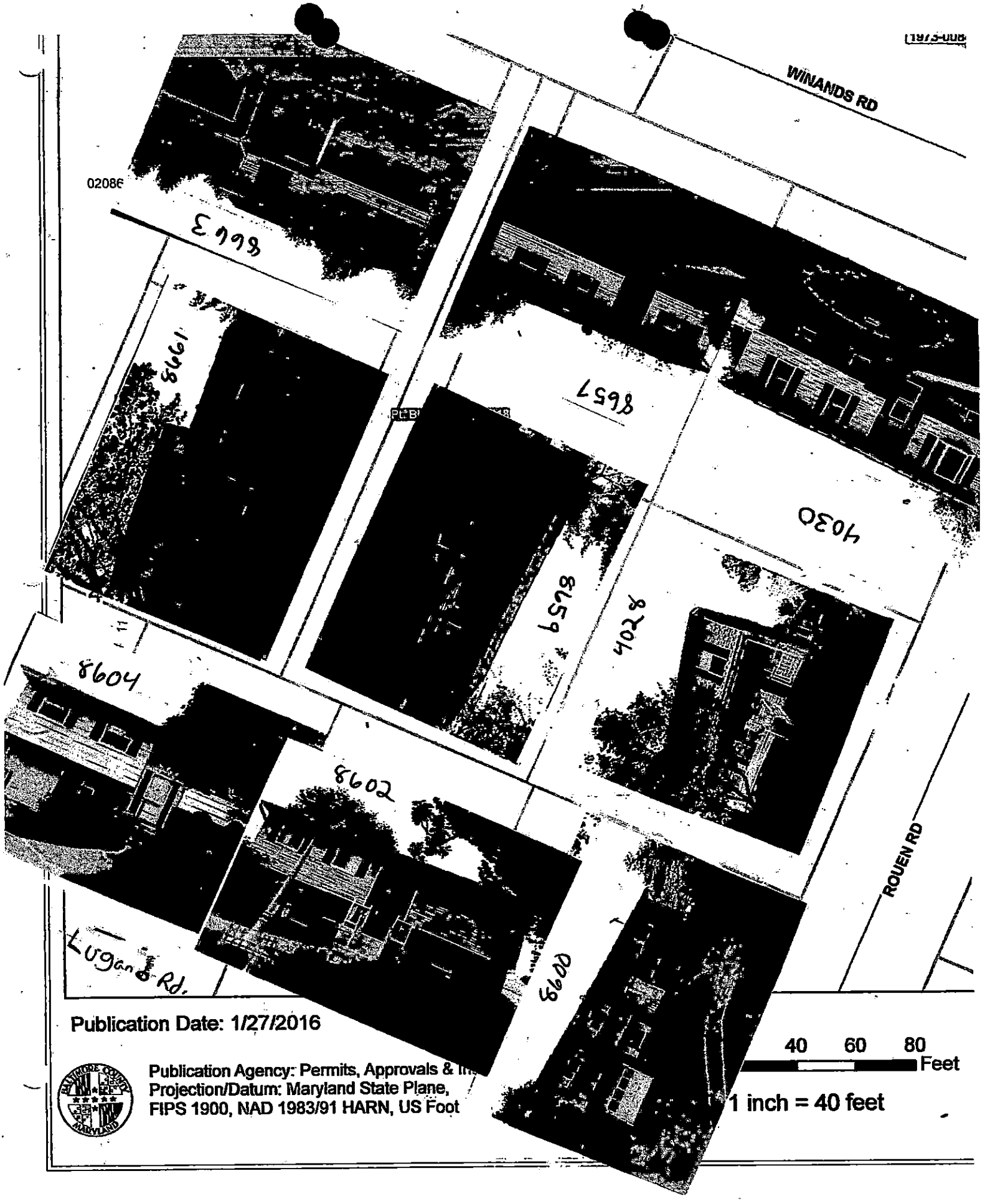
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

[illegible]


882H757



8659 Winands Road

Real Property Data Search (w4) Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District** - 02 **Account Number** - 1900002833

Owner Information

Owner Name:	BECKFORD WINSOME D	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	8659 WINANDS RD RANDALLSTOWN MD 21133-4401	Deed Reference:	/17298/ 00345

Location & Structure Information

Premises Address:	8659 WINANDS RD 0-0000	Legal Description:	.2294 AC 8659 WINANDS RD WINANDS CORNER

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0077	0004	0811		0000		A	5	2016	Plat Ref:	0048/ 0018

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

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1987	1,452 SF	850 SF	9,997 SF	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 01/01/2016	Phase-in Assessments As of 07/01/2015	Phase-in Assessments As of 07/01/2016
Land:	56,400	56,400		
Improvements	137,300	151,600		
Total:	193,700	208,000	193,700	198,467
Preferential Land:	0			0

Transfer Information

Seller: BECKFORD WINSOME D	Date: 12/31/2002	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /17298/ 00345	Deed2:
Seller: HULITT DANIEL B	Date: 08/16/2000	Price: $139,500
Type: ARMS LENGTH IMPROVED	Deed1: /14640/ 00674	Deed2:
Seller: HULITT DANIEL B	Date: 11/18/1992	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /09465/ 00620	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2015	07/01/2016
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

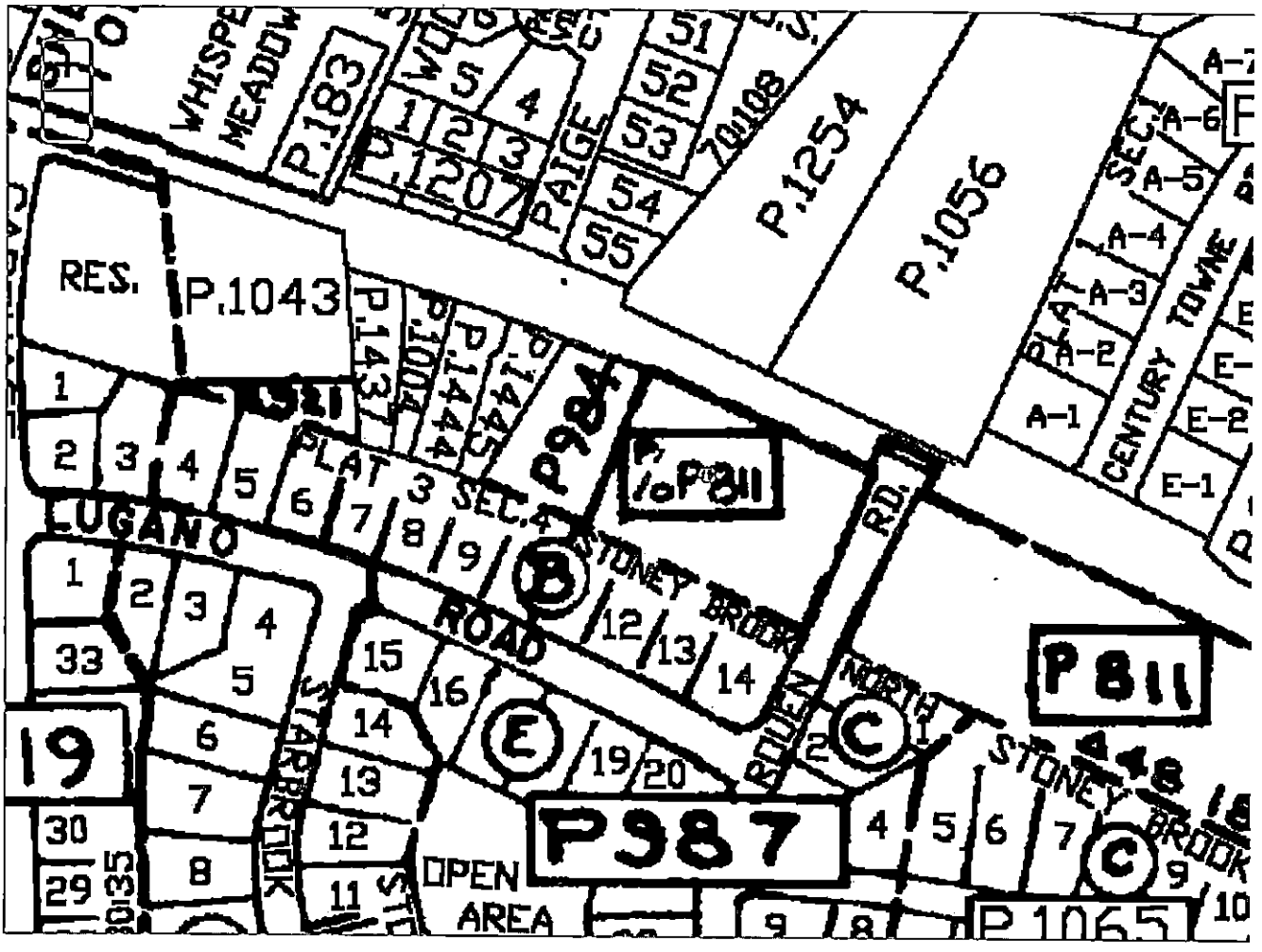
Homestead Application Information

Homestead Application Status: Denied

Baltimore County

New Search (http://sdat.dat.maryland.gov/RealProperty)

District: **02** Account Number: **1900002833**

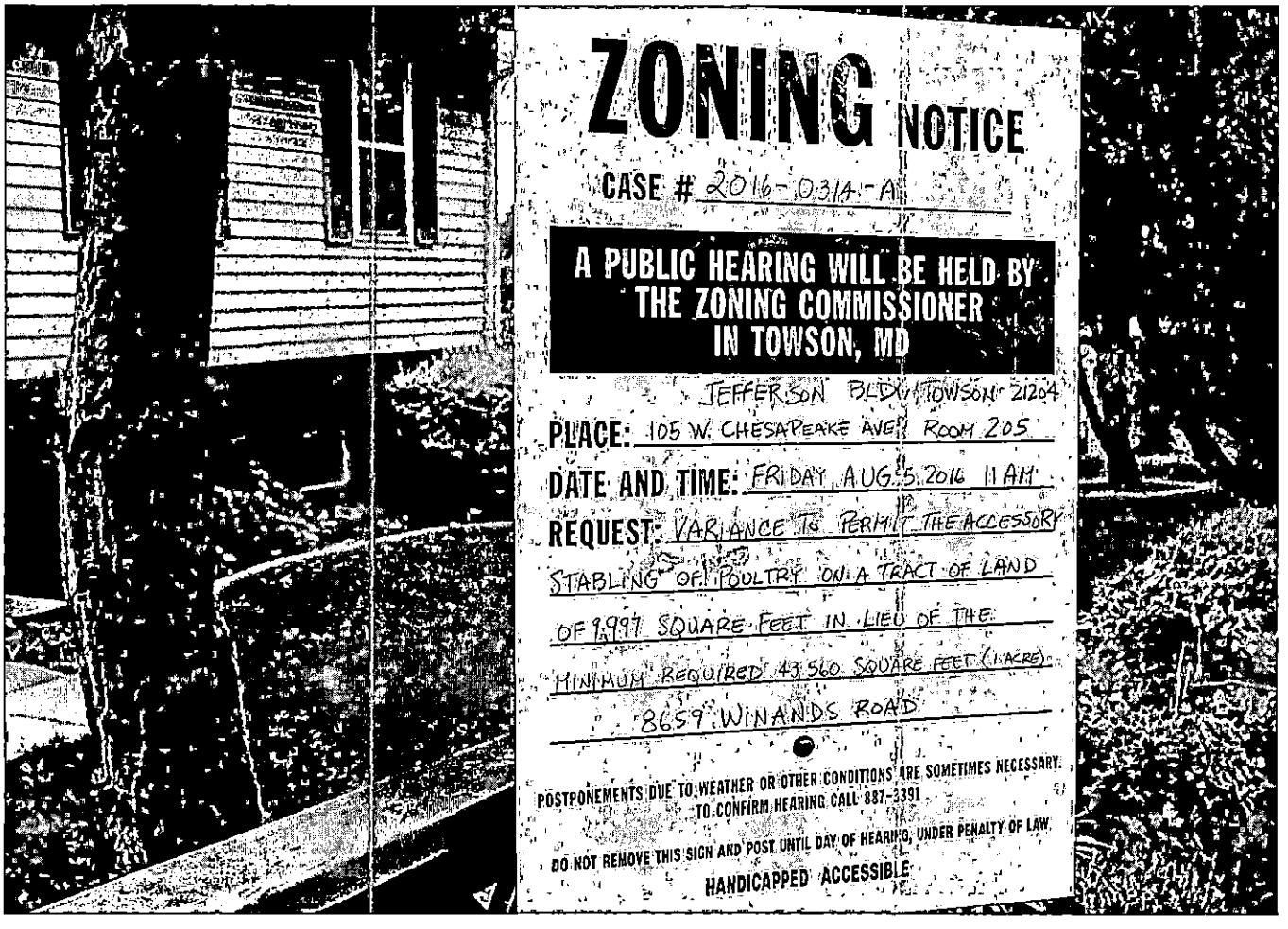


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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

Property maps provided courtesy of the Maryland Department of Planning.

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


ZONING NOTICE
CASE # 2016-031A-A
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD
JEFFERSON BLDG, TOWSON 21204
PLACE: 105 W. CHESAPEAKE AVE, ROOM 205
DATE AND TIME: FRIDAY, AUG. 5, 2016 11 AM
REQUEST: VARIANCE TO PERMIT THE ACCESSORY
STABLING OF POULTRY ON A TRACT OF LAND
OF 9,997 SQUARE FEET IN LIEU OF THE
MINIMUM REQUIRED 43,560 SQUARE FEET (1 ACRE)
8659 WINANDS ROAD
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

Date: 7-13-16

RE: Case Number: 2016-0314-A

Petitioner/Developer: Winsome Beckford

Date of Hearing/Closing: Fri Aug 5, 2016 11AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8659 Winands Rd

The signs(s) were posted on 7-13-16
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

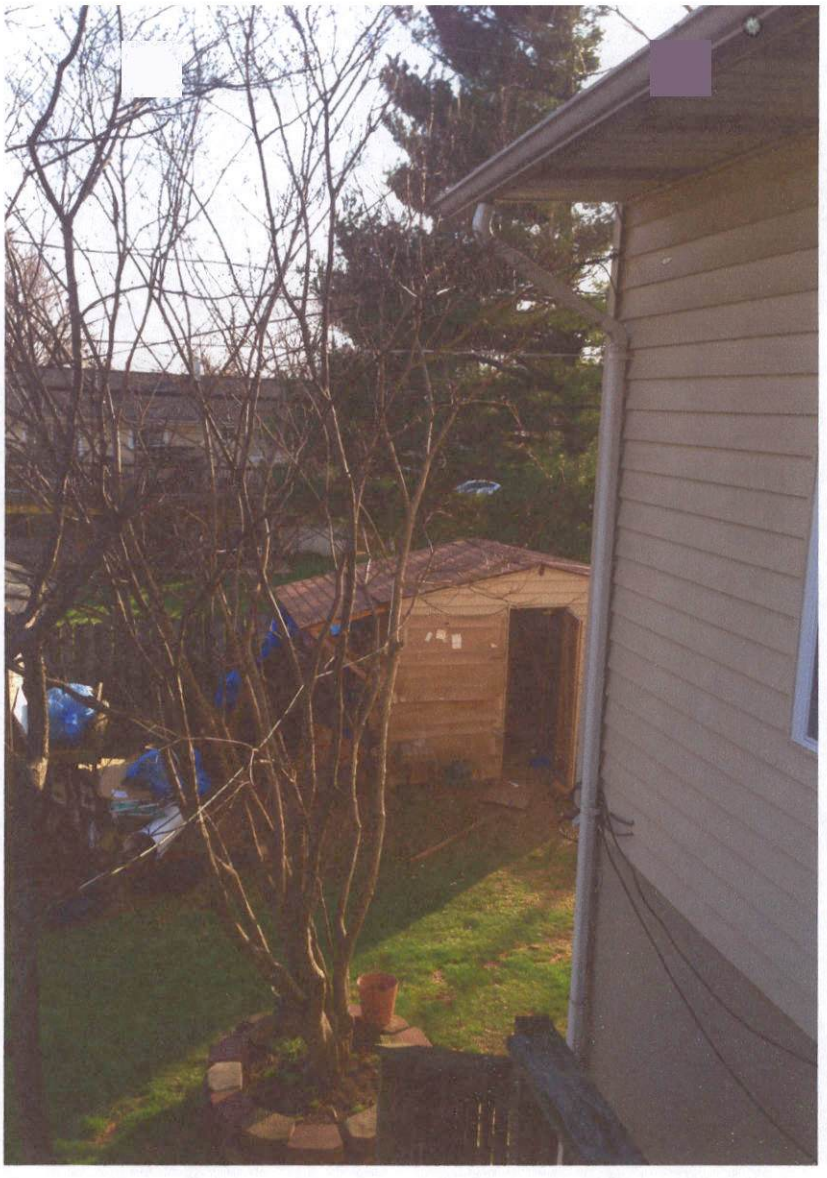
J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)



2016-0314-A

2016 -0314-A

2016-0314-A

PETITION

DATE 1-11-16

WE, THE UNDERSIGNED, SUPPORT THIS PETITION TO ALLOW THE BECKFORD'S WHO RESIDE AT:

8659 WINANDS ROAD, RANDALLSTOWN, MD 21133:

TO CONTINUE TO MAINTAIN THE EXISTING CHICKEN COOP FOR THE PURPOSE OF RAISING CHICKENS ON THE AFOREMENTIONED PROPERTY.

SIGNATURE	PRINT NAME	ADDRESS
1.	Melanie Pinkney	Appian 4028 Rowen Rd 21133
2.	IRA BERNSTEIN	8663 Winands Rd Randallstown Md 21133
3. Harold Hicks	Hicks, Harold	8600 LUGANO Rd
4.	ALBAN STEWART	8604 LUGANO RD 21133
5. Gwen Grant	GWEN GRANT	4030 Rowen Rd Randallstown MD 21133
6. Reginald Daniel	Reginald Daniel	8602 Lugano Rd Randallstown Rd 21133

PETITION DATE 1-10-16

WE, THE UNDERSIGNED, SUPPORT THIS PETITION TO ALLOW THE BECKFORD'S WHO RESIDE AT:

8659 WINANDS ROAD, RANDALLSTOWN, MD 21133:

TO CONTINUE TO MAINTAIN THE EXISTING CHICKEN COOP FOR THE PURPOSE OF RAISING CHICKENS ON THE AFOREMENTIONED PROPERTY.

SIGNATURE	PRINT NAME	ADDRESS
Mary Williams	Mary Williams	8657 Winands Rd. Randallstown, MD 21133
8.		
9.		
10.		
11.		
12.		

KEVIN KAMENETZ
County Executive

July 8, 2016

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

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 NUMBER: 2016-0314-A
8659 Winands Road
S/s Winands Road, 203 ft. w/of centerline of Rouen Road
2nd Election District – 4th Councilmanic District
Legal Owners: Winsome Beckford

Variance to permit the accessory stabling of poultry on a tract of land of 9,997 sq. ft. in lieu of the minimum required 43,560 sq. ft. (1 acre).

Hearing: Friday, August 5, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Winsome Beckford, 8659 Winands Road, Randallstown 21133
Susan McCormick, 1616 Dennis Avenue, Towson 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 16, 2016.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

THE BALTIMORE SUN MEDIA GROUP

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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4311349

Sold To:
Winsome Beckford - CU00549149
8659 Winands Rd
Randallstown,MD 21133-4401

Bill To:
Winsome Beckford - CU00549149
8659 Winands Rd
Randallstown,MD 21133-4401

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

Jul 14, 2016

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2016-0314-A
8659 Winands Road
S/s Winands Road, 203 ft. w/of centerline of Rouen Road
2nd Election District - 4th Councilmanic District
Legal Owner(s) Winsome Beckford

Variance: to permit the accessory stabling of poultry on a tract of land 9,997 sq. ft. in lieu of the minimum required 43,560 sq. ft. (1 acre)

Hearing: Friday, August 5, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

7/084 July 14• 4311349

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

№ 143306

Date: 9/28/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				265.00

Total: 265.00

Rec From: Winsome Beckford (OAH)

For: 2016-0314-A
E659 Winands Rd
CK# 3626

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
9/29/2016	9/28/2016	11:30:11	1

REG WS01 WALKIN LJR
>>RECEIPT # 683443 9/28/2016 UFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 143306
Recpt Tot $265.00
$265.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

KEVIN KAMENETZ
County Executive

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

September 9, 2016

Winsome Beckford
8659 Winands Road
Randallstown, Maryland 21133

RE: Petition for Variance **(Motion for Reconsideration)**
Case No. 2016-0314-A
Property: 8659 Winands Road

Dear Petitioner:

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 County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Susan McCormick, 1616 Dennis Avenue, Towson, Maryland 21204
Muriel Howard, 8661 Winands Road, Randallstown, Maryland 21133

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(8659 Winands Road)		
2nd Election District	*	OF ADMINISTRATIVE
4th Council District		
Winsome Beckford	*	HEARINGS FOR
Legal Owner		
Petitioner	*	BALTIMORE COUNTY
	*	**CASE NO. 2016-0314-A**

* * * * * * *

ORDER ON PETITIONER'S MOTION FOR RECONSIDERATION

I am in receipt of an undated letter written by Petitioner received by Office of Administrative Hearings on September 2, 2016. The letter will be treated as a Motion for Reconsideration.

While I am sympathetic to Ms. Beckford's plight I am not at liberty to reconsider the August 8, 2016 Order denying variance relief. Petitioner's lot is just under 10,000 sq. ft., which is less than 25% of the amount of land required by the B.C.Z.R. to keep chickens on a residential property. As such the Motion will be denied.

THEREFORE, IT IS ORDERED, this **9th** day of September, 2016, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, be and is hereby DENIED.

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

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING
Date 9-9-16
By sln

RECEIVED

SEP 02 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Hello, my name is Winsome Beckford. I will like to address the current situation that has been brought to my attention. I've noticed that there was a complaint by a nearby neighbor about my chickens. I was sent a letter by the courts that claimed, I was denied to have chickens on my property. I purchase these chickens because of the health condition of my mother and daughter. My mother is blind and my daughter needs a kidney transparent. They both find comfort in the chickens. For my blind mother, she raised chickens when I was a child. It always keep her sane.

Unique qualities:

•our house is fenced off from all neighbors by a tall fence.

•the front yard of our house is lit up a at night to track any movements, and for visual properties.

•our yard is so big that we have 2 separate gardens.

Hardship:

•the chickens are there for coping mechanisms for my daughter who was diagnosed with kidney failure.

•my daughter cannot eat most foods, so the organic eggs are perfect for her to eat!

•my mother is nearly blind and struggles to see. If she needs organic eggs she can walk out back to pick them up.

•my neighbors love the eggs that the chickens produce and saves them money from buying them from the store. I do NOT sell them.

•

RECEIVED

SEP 02 2016

OFFICE OF ADMINISTRATIVE HEARINGS

August 29,2016

4348 Mary Ridge Dr

Randallstown MD 21133

RECEIVED

SEP 02 2016

OFFICE OF ADMINISTRATIVE HEARINGS

To whom it may concern,

I'm writing this letter on behalf of Winsome Beckford, she is a close friend of mind and the Godmother to my son. I frequently visit her home and know that she have chicken in her back yard , Winsome have a very sick daughter and mother whom she provide for, both ladies are on daily medication to help control their conditions, for the last 2 years I've notice Winsome become very stress out about finding the funds to purchase these costly medicine , I'm not able to help her financially , but I do a lot of baking so I take several dozens of eggs from her and return I give her some of my pastries and bread , I also have a vegetable garden and I give her vegetables also , by giving her these items she don't have to purchase them at the market so she can have a few extra dollars even to purchase one of her family medication , thank you for taking the time to read my letter.

Sincerely

Caroline Dawes

Caroline Dawes

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(8659 Winands Road)		
2nd Election District	*	OF ADMINISTRATIVE
4th Council District		
Winsome Beckford	*	HEARINGS FOR
Legal Owner		
Petitioner	*	BALTIMORE COUNTY
	*	**CASE NO. 2016-0314-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Winsome Beckford, owner of the subject property ("Petitioner"). Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 sq. ft. in lieu of the minimum required 43,560 sq. ft. (1 acres). A site plan was marked as Petitioner's Exhibit 1.

Owner Winsome Beckford appeared in support of the Petition. A neighbor attended the hearing and opposed the request. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). Neither agency opposed the request, but each proposed conditions to be included in the final Order.

The subject property is approximately 9,997 sq. ft. and zoned DR 3.5. Petitioner keeps chickens in her rear yard, and photos were submitted which show the enclosure and outdoor run area for the birds. The facility appears to be clean and free of debris. Petitioner's neighbor (Muriel Howard) opposed the request and testified she is concerned with the potential for rodents and insects. Ms. Howard also said she is concerned the use could negatively impact the value of her

home. While I believe the equities favor the Petitioner, the applicable law does not permit me to grant the request.

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

(1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

No evidence or argument was presented concerning the uniqueness of the property. In addition, the Petitioner's lot is under 10,000 sq. ft., which is less than 25% of the area required by the B.C.Z.R.

THEREFORE, IT IS ORDERED, this **8th** day of August, 2016, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 sq. ft. in lieu of the minimum required 43,560 sq. ft. (1 acres), be and is hereby DENIED.

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

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING
Date 8-8-16
By

Baltimore County Board of Zoning and Regulation
Towson, MD 21204
August5, 2016

Dear Commissioner and members of the zoning board,

I am unable to attend today's hearing on the zoning of my neighbor's property due to a prior commitment, however, I do want this letter to stand in my place. First, let me say that I am disappointed that the zoning sign was placed directly in front of the neighbor's house whereby no other neighbor's in the community would have visibility to the sign. Only one house has visible access to the sign and I saw the sign from the back of my property. It is disappointing to think that the importance of this issue would be hidden from the rest of the neighbors who live around the property would not have been able to see the sign, therefore would not be able to file a complaint in person or in written form. That being said, I am against the property being allowed to house chickens. There is a reason that the restrictions to the size of a property for chickens was issued in the first place. Since they have had chickens, I have noticed an increase in rodents in the neighborhood, Espspecially on our property and my neighbor's property that we hadn't had before. This gives me great concern. We haven't had mice in the neighborhood for years and now I am seeing them. I can only contribute that to the chickens. I worry about the sanitary conditions with relations to removal of manure and other by products from the chickens. If the neighbors had an acre of land, there would be no problem. However, they don't.What's next, ducks, roosters? We are no in zoned farm land. We are a residential area. They live in close proximity to other homes. Is the county going to come and inspect the coop and chickens to make sure they are healthy? Is the county going to make sure the eggs are free from disease? Can the county guarantee me that they will take care of all the rodents that are in the neighborhood? If the county cannot give me guarantees then I do not want chickens so close to my home.

Sincerely,
Saralee Bernstein

8663 Winands Rd.
Randallstown, MD 21133

Prot. 1

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 8659 WINANDS RD which is presently zoned DR 3.5

Deed References: 17298 / 00345 10 Digit Tax Account # 1 9 0 0 0 2 8 3 3

Property Owner(s) Printed Name(s) WINSOME BECKFORD

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

3. X a Variance from Section(s) 100.6A TO PERMIT THE ACCESSORY STABLING OF POULTRY ON A TRACT OF LAND OF 9,997 sq. ft. IN LIEU OF THE MINIMUM REQUIRED 43,560 sq. ft. (1 ACRE)

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 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

Legal Owners (Petitioners):

WINSOME BECKFORD

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

Signature #1 Signature # 2

8659 WINANDS RD, RANDALLSTOWN MD

Mailing Address City State

21133 / 410-496-4370 /

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 8-8-16
By

Representative to be contacted:

SUSAN McCORMICK

Name - Type or Print

Susan McCormick

Signature

1616 DENNIS AVE, TOWSON MD

Mailing Address City State

21204 / 410-952-5484 / spicemom0203@comcast.net

Zip Code Telephone # Email Address

CASE NUMBER 2016-0314-A Filing Date 6/8/16 Do Not Schedule Dates: _____ Reviewer AT

REV. 10/4/11

ZONING PROPERTY DESCRIPTION FOR 8659 Winands Road

PART A

Beginning at a point on the SOUTH side of Winands Road which is 70' R/W wide at the distance of 203' WEST of the centerline of Rouen Road which is 50' R/W wide.

PART B – OPTION 2

Being Lot #5, Block A, in the subdivision of Winands Corner as recorded in Baltimore County Plat Book #48, Folio #18, containing 9,997' total square feet, located in the 2nd Election District and the 4th Council District.

PETITION FOR VARIANCE—Section 100.6—

To permit the accessory stabling of poultry on a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre).

2016-0314-A

Board of Appeals

Case No: 16-314-A Case Name: WINSOME BECKFORD

Exhibit List

Party: PETITIONER Date: 11/17/16

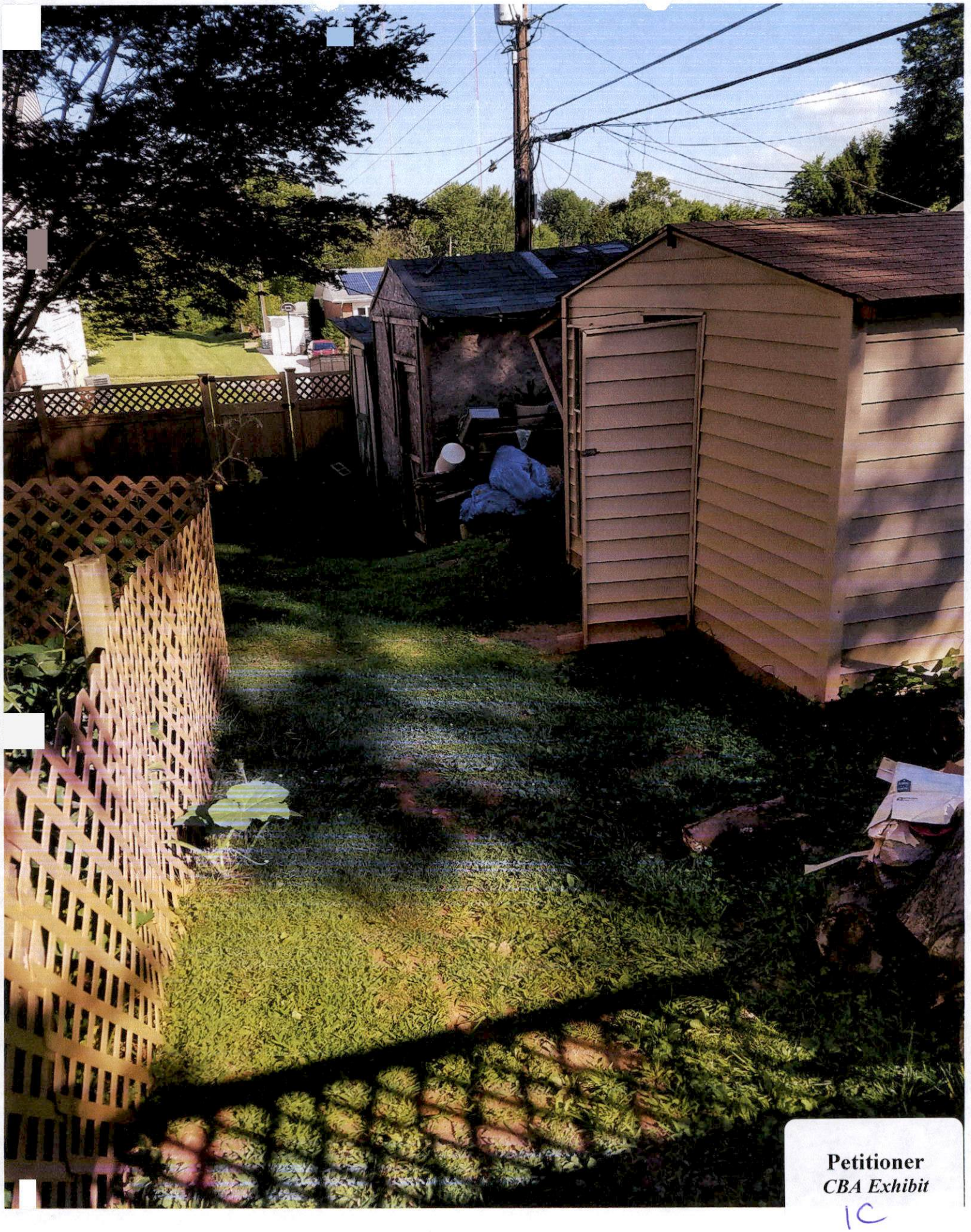
Exhibit No:	Description:	In Evidence
1A	PHOTOGRAPH ZONING NOTICE / BECKFORD HOME	✓
1B	PHOTOGRAPH BACK YARD / FENCING	✓
1C	PHOTOGRAPH CHICKEN COOP	✓
1D	PHOTOGRAPH CHICKEN COOP (2)	✓
1E	PHOTOGRAPH CHICKEN COOP (3)	✓
1F	PHOTOGRAPH CHICKENS	✓
2	PHOTOGRAPHS (9) SURROUNDING HOUSES BECKFORD HOUSE IN CENTER	✓
3	AUGUST 29, 2016 LTR FROM C. DAVIES (1 PAGE)	✓
4	FILE BELOW	✓
	VERIFIED BY KC DATE: 11/17/16	

Petitioner
CBA Exhibit

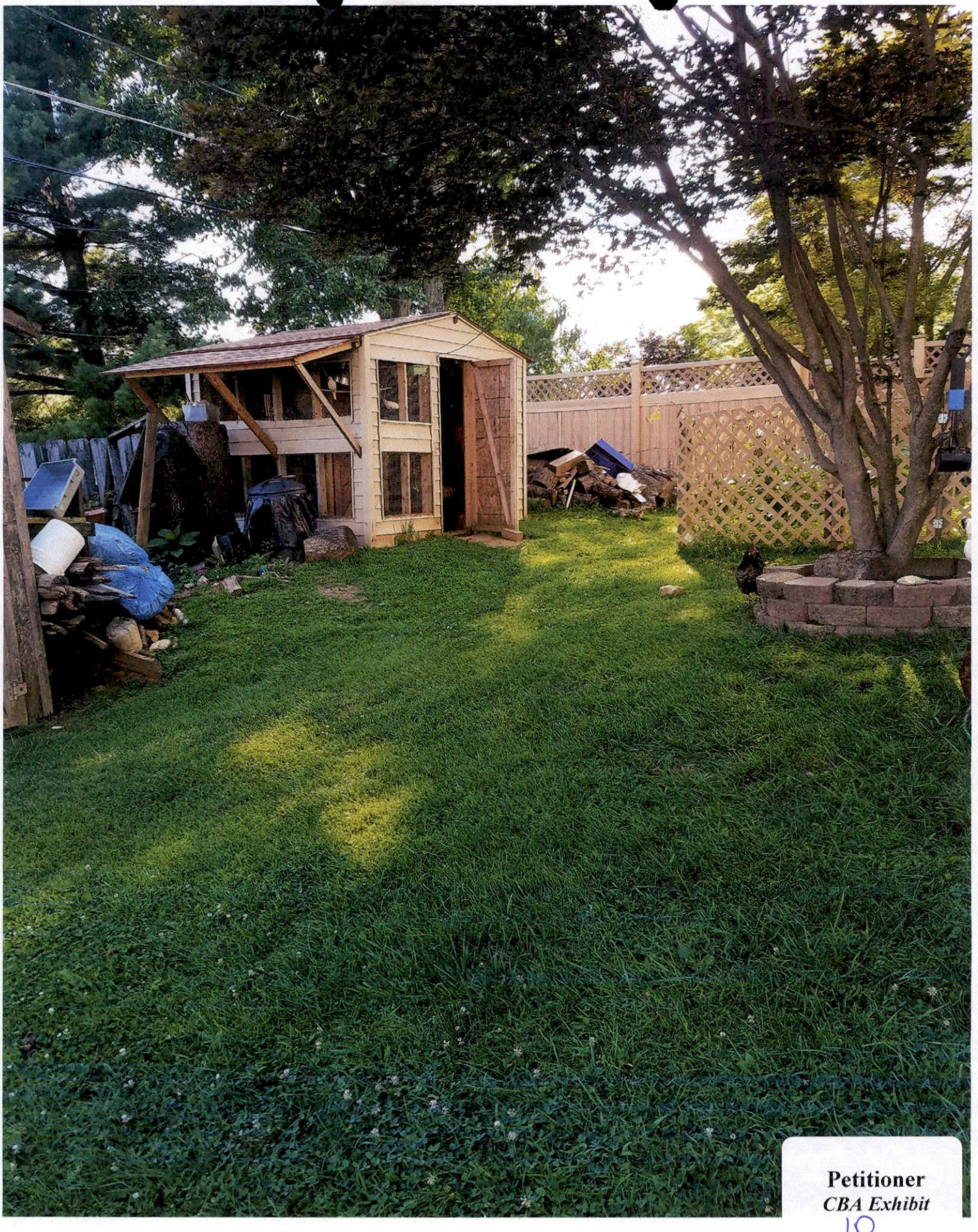
1A

Petitioner
CBA Exhibit

1B

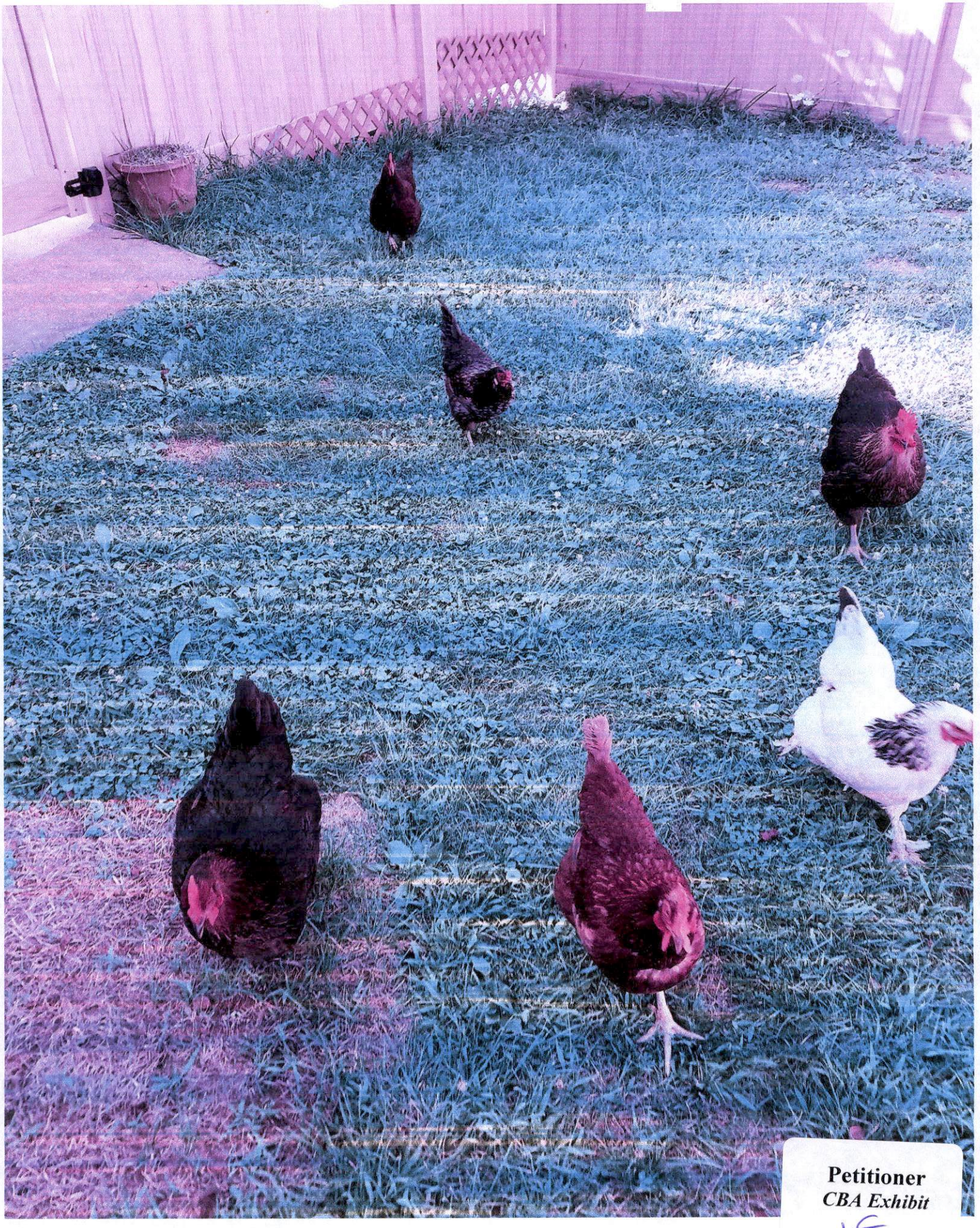


Petitioner
CBA Exhibit
1C



Petitioner
CBA Exhibit
10

Petitioner
CBA Exhibit
1E



Petitioner
CBA Exhibit
1F

Publication Date: 1/27/2016

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

8659 Winands Road

Petitioner
CBA Exhibit
2

August 29,2016

4348 Mary Ridge Dr

Randallstown MD 21133

RECEIVED

SEP 0 2 2016

OFFICE OF ADMINISTRATIVE HEARINGS

To whom it may concern,

I'm writing this letter on behalf of Winsome Beckford, she is a close friend of mind and the Godmother to my son. I frequently visit her home and know that she have chicken in her back yard , Winsome have a very sick daughter and mother whom she provide for, both ladies are on daily medication to help control their conditions, for the last 2 years I've notice Winsome become very stress out about finding the funds to purchase these costly medicine , I'm not able to help her financially , but I do a lot of baking so I take several dozens of eggs from her and return I give her some of my pastries and bread , I also have a vegetable garden and I give her vegetables also , by giving her these items she don't have to purchase them at the market so she can have a few extra dollars even to purchase one of her family medication , thank you for taking the time to read my letter.

Sincerely

Caroline Dawes

Caroline Dawes

Petitioner
CBA Exhibit
3

Board of Appeals

Case No: 16-314-A Case Name: Winsome Bockfan

Exhibit List

Party: Murier Harris. Date: 11/17/16.

Exhibit No:	Description:	
✓ 1	LTR from S. Bernstein to Board of	✓
	Appeals of Baltimore County 11/17/16	
✓ 2	Sketch of Houses in Relation to one	✓
	Another.	
	VERIFIED BY KC DATE: 11/17/16	

In original

Saralee Bernstein
8663 Winands Road
Randallstown, MD 21133
November, 17, 2016

Board of Appeals of Baltimore County
Jefferson Building
105 West Chesapeake Avenue
Towson, MD 21204
IN THE MATTER of Winsome Beckford

To Your Honor and the Court of Baltimore County,

It disturbs me as a neighbor of 8659 Winands Rd, that the decision was already rendered to disallow for the chicken coop and chickens back in the summer of 2017. Yet, they never did anything as to the court's the decision, but to continue with the chickens and chicken coop even though they knew the area did not allow for them to have the "farm animals". They show disregard for the neighbors or that of the courts. It seems rules are not meant for them. I continue to raise objections to the chickens and chicken coop in my neighborhood. We do not live in a farm area, their property is not large enough and we are not zoned for it. Chickens are not pets. They don't take care of the pet cat they have. Do they care about the pet they have? Their cat, Milo runs free on ours, as well as other neighbors property daily walking across our deck, property many times even though I chase it away. Next, I wonder, who has been monitoring the eggs that they have as to their sanitary nature or if they are good? Does the health department come out and frequent the property? What happens if someone gets ill from eating a "bad" egg they have given away? Will the county be as responsible? Who oversees homeowners? If I wanted to live near a farm I would have done so. Chickens carry illnesses. They bring rodents with them because of the food needed to feed them. Rodents do travel to other homes nearby. I am not one neighbor willing to welcome that concept. I am still against having a chicken coop and chickens so close. If they want them, they should rent space on a farm, not in our neighborhood. The zoning has already given them the answer that they didn't like before, why are we doing this again? Please, do not permit them to continue with chickens and the coop. And please monitor that the court's decision is followed out if it is decided that they are not allowed to have the farm animals. Chickens are not pets. Thank you for your understanding in this matter.

Sincerely,
Saralee Bernstein
8663 Winands Rd.
Randallstown, MD 21133

Protestant
CBA Exhibit
1

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Winsome Beckford 16-314-A

DATE: January 19, 2017

BOARD/PANEL: Andrew M. Belt, Panel Chairman
Jason S. Garber
James H. West

RECORDED BY: Tammy A. McDiarmid, Legal Secretary

PURPOSE: To deliberate the following:

Petition for Variance relief from BCZR §100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 sq. ft. in lieu of the minimum required 43,560 sq. ft. (1 acre).

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The Board reviewed the history of this matter. The Petitioner owns an approximately 9,997 square foot piece of property on which she has constructed a chicken coup, and has several chickens. The Petitioner stated the reason for the chickens is due to the price of organic eggs, and because of her daughter's health.
- The Board notes that the Petitioner has made attempts to keep the noise down, and to keep the chicken coup clean.
- A neighbor appeared in opposition to the request.
- The Board noted that the size of the Petitioner's property is significantly smaller than the minimum required for the use.
- The Board reviewed the standards of Cromwell v. Ward and find that the property is not unique, and any hardship is personal in nature.

DECISION BY THE BOARD MEMBERS:
The Board determined that the property does not meet the uniqueness criteria of Cromwell v. Ward, and find the request does not meet the legal requirements for the granting of a Variance.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to DENY the requested relief.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,

Tammy A. McDiarmid

Tammy A. McDiarmid

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

November 18, 2016

NOTICE OF PUBLIC DELIBERATION

IN THE MATTER OF: Winsome Beckford
8659 Winands Road
16-314-A 2nd Election District; 4th Councilmanic District

Re: Petition for Variance relief from Baltimore County Zoning Regulations Section 100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre.)

8/8/16 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

9/9/16 Ruling on Petitioner's Motion for Reconsideration wherein the Motion was DENIED.

This matter having been heard and concluded on November 17, 2016, a public deliberation has been scheduled for the following:

DATE AND TIME: THURSDAY, JANUARY 19, 2017 at 9:30 a.m.

LOCATION: Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. ATTENDANCE IS NOT REQUIRED AND PARTICIPATION IS NOT ALLOWED. A WRITTEN OPINION AND/OR ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

---

c: Petitioner and Legal Owner : Winsome Beckford

Protestants : Muriel R. Howard and Saralee Bernstein

Susan McCormick

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

October 12, 2016

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Winsome Beckford
8659 Winands Road
16-314-A 2nd Election District; 4th Councilmanic District

Re: Petition for Variance relief from Baltimore County Zoning Regulations Section 100.6 to permit the accessory stabling of poultry on a tract of land of 9,997 square feet in lieu of the minimum required 43,560 square feet (1 acre.)

8/8/16 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

9/9/16 Ruling on Petitioner's Motion for Reconsideration wherein the Motion was DENIED.

ASSIGNED FOR: THURSDAY, NOVEMBER 17, 2016, AT 10:00 A.M.

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

NEW! Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.

NEW! Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington, Administrator

---

c: Petitioner and Legal Owner : Winsome Beckford

Protestants : Muriel R. Howard and Saralee Bernstein

Susan McCormick

Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

KEVIN KAMENETZ
County Executive

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

September 30, 2016

RECEIVED
SEP 30 2016
BALTIMORE COUNTY
BOARD OF APPEALS

Winsome Beckford
8659 Winands Road
Randallstown, Maryland 21133

RE: **APPEAL TO BOARD OF APPEALS (Motion for Reconsideration)**
Case Nos. 2016-0314-A
Location: 8659 Winands Road

Dear Ms. Beckford:

Please be advised that an appeal of the above-referenced case was filed in this Office on September 28, 2016. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Susan McCormick, 1616 Dennis Avenue, Towson, Maryland 21204
Muriel Howard, 8661 Winands Road, Randallstown, Maryland 21133

CASE NO. 2016-0314-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
6/15	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	G
6/22	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
6/30	PLANNING (if not received, date e-mail sent _____)	Support w/conds.
6/13	STATE HIGHWAY ADMINISTRATION	no Objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 7/14/16

SIGN POSTING Date: 7/13/16 by Pulson

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

THE BALTIMORE SUN MEDIA GROUP

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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4311349

Sold To:
Winsome Beckford - CU00549149
8659 Winands Rd
Randallstown,MD 21133-4401

Bill To:
Winsome Beckford - CU00549149
8659 Winands Rd
Randallstown,MD 21133-4401

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

Jul 14, 2016

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2016-0314-A
8659 Winands Road
S/s Winands Road, 203 ft. w/of centerline of Rouen Road
2nd Election District - 4th Councilmanic District
Legal Owner(s) Winsome Beckford

Variance: to permit the accessory stabling of poultry on a tract of land 9,997 sq. ft. in lieu of the minimum required 43,560 sq. ft. (1 acre)

Hearing: Friday, August 5, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

7/084 July 14 4311349

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 14, 2016 Issue - Jeffersonian

Please forward billing to:
Winsome Beckford
8659 Winands Road
Randallstown, MD 21133

443-414-5218

NOTICE OF ZONING HEARING

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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.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2016-0314-A

Property Address: 8659 WINANDS ROAD

Property Description: _____

Legal Owners (Petitioners): WINSOME BECKFORD

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: MS. WINSOME BECKFORD

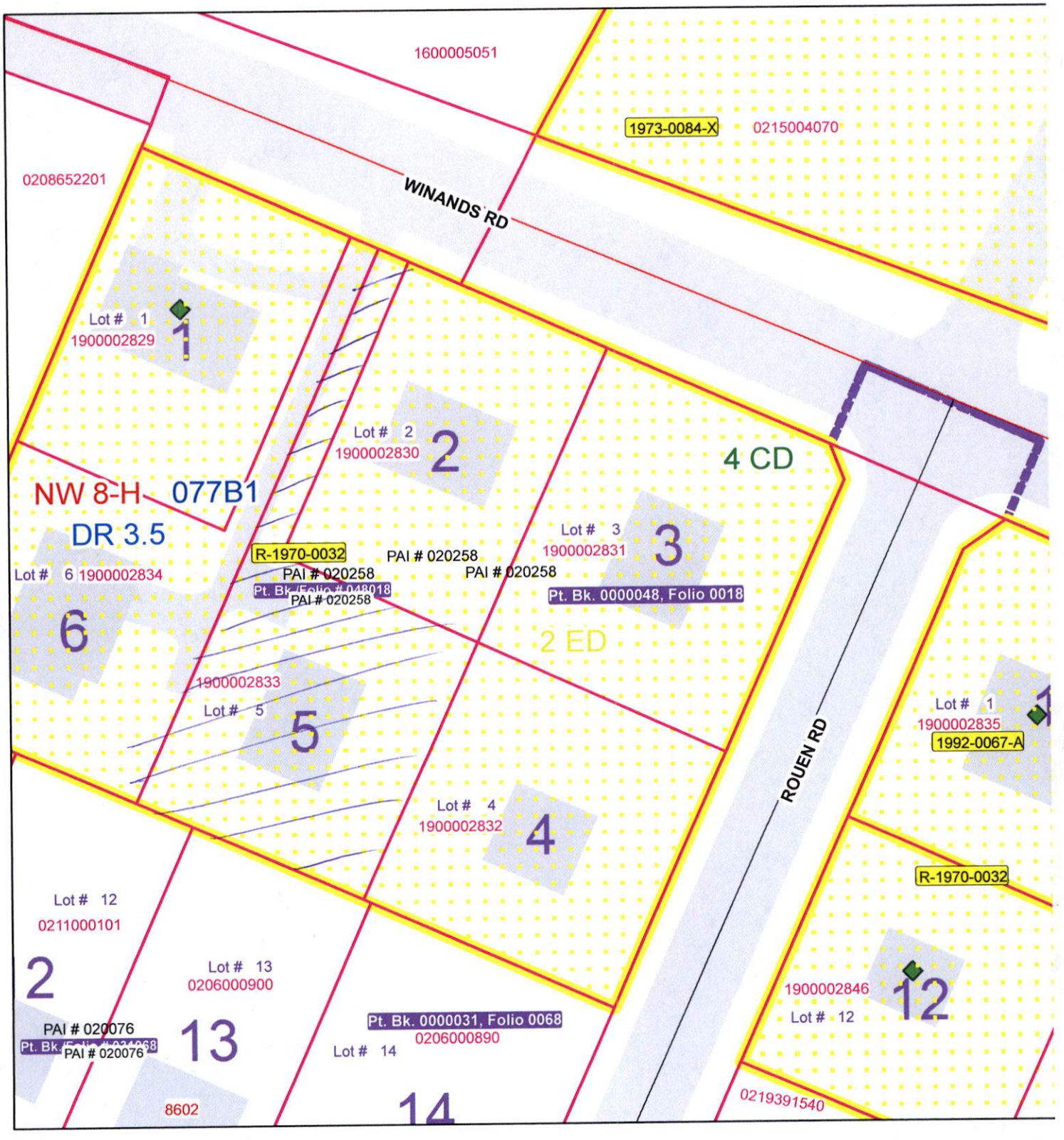
Company/Firm (if applicable): —

Address: 8659 WINANDS ROAD
RANDALLSTOWN, MD 21133

Telephone Number: (443) 414-5218 CELL, (410) 496-4370 HOME

Revised 5/20/2014

Enter Property Address Here



Publication Date: 1/28/2016

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

N W E S

0 12.525 50 75 100 Feet

1 inch = 50 feet

2016-0314-A

Real Property Data Search (w4) Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District** - 02 **Account Number** - 1900002833

Owner Information

Owner Name:	BECKFORD WINSOME D	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	8659 WINANDS RD RANDALLSTOWN MD 21133-4401	**Deed Reference:**	/17298/ 00345

Location & Structure Information

Premises Address:	8659 WINANDS RD 0-0000	**Legal Description:**	.2294 AC 8659 WINANDS RD WINANDS CORNER

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0077	0004	0811		0000		A	5	2016	Plat Ref:	0048/ 0018

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

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1987	1,452 SF	850 SF	9,997 SF	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 01/01/2016	Phase-in Assessments As of 07/01/2015	Phase-in Assessments As of 07/01/2016
Land:	56,400	56,400		
Improvements	137,300	151,600		
Total:	193,700	208,000	193,700	198,467
Preferential Land:	0			0

Transfer Information

Seller: BECKFORD WINSOME D	Date: 12/31/2002	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /17298/ 00345	Deed2:
Seller: HULITT DANIEL B	Date: 08/16/2000	Price: $139,500
Type: ARMS LENGTH IMPROVED	Deed1: /14640/ 00674	Deed2:
Seller: HULITT DANIEL B	Date: 11/18/1992	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /09465/ 00620	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2015	07/01/2016
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status: Denied

1. This screen allows you to search the Real Property database and display property records.
2. Click here for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

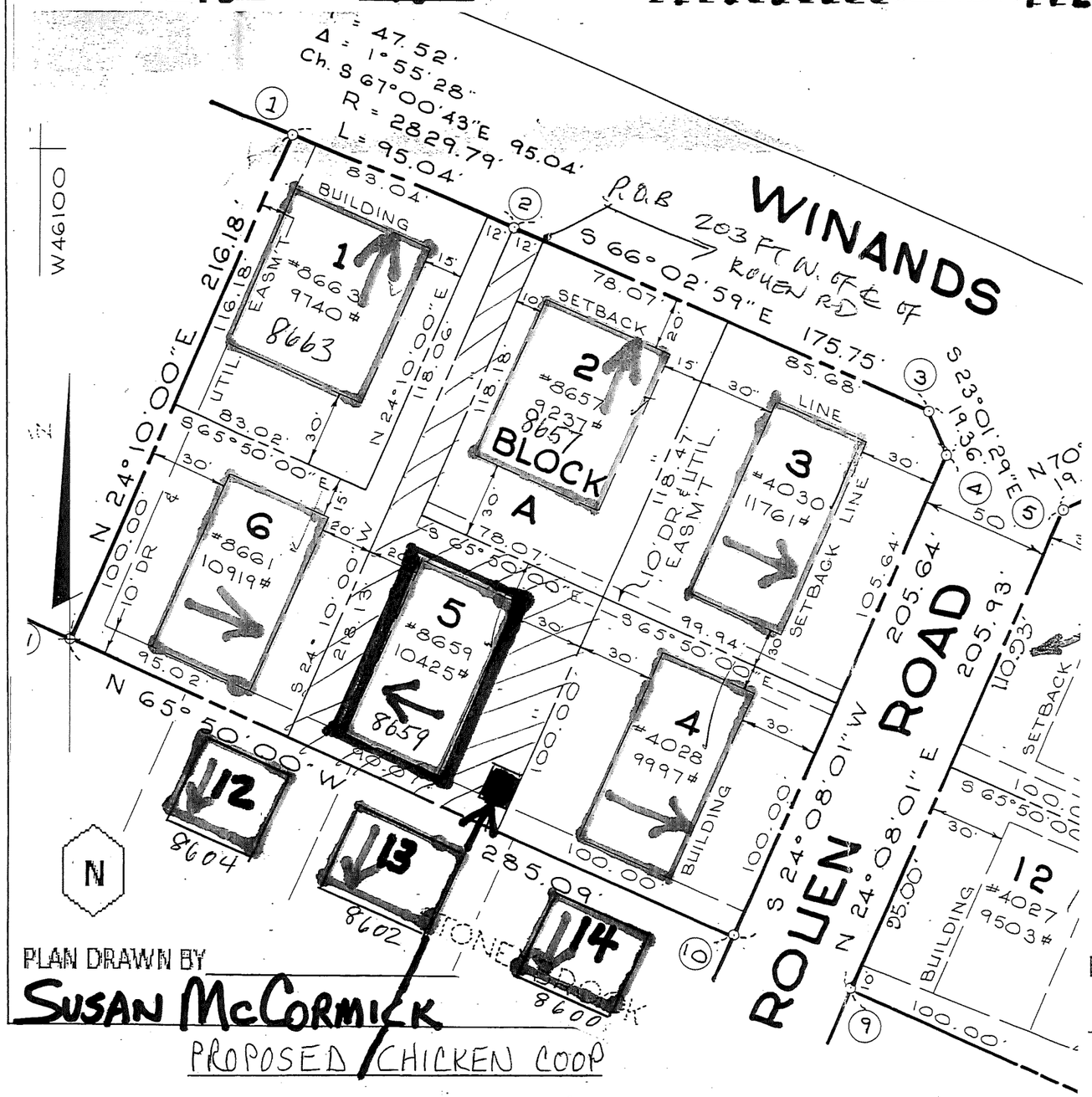
2016-0314-A

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

ADDRESS 8659 WINANDS ROAD OWNER(S) NAME(S) WINSOME BECKFORD

SUBDIVISION NAME WINANDS CORNER LOT # 5 BLOCK # A SECTION # ____

PLAT BOOK # 48 FOLIO # 18 10 DIGIT TAX # 1900002833 DEED REF. # 17298/00345

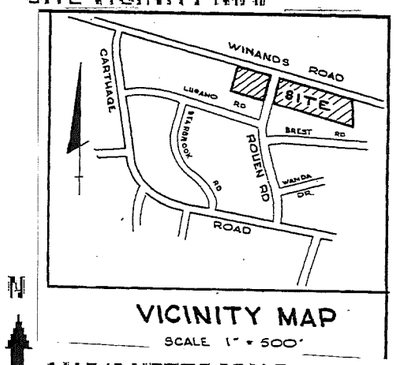


PLAN DRAWN BY

SUSAN McCORMICK

PROPOSED CHICKEN COOP

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 077B1

SITE ZONED DR3.5

ELECTION DISTRICT 2ND

COUNCIL DISTRICT 4TH

LOT AREA ACREAGE —

OR SQUARE FEET 9,997

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE ____

SEWER IS:

PUBLIC X PRIVATE ____

PRIOR HEARING ? No

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

NO

2016-0314-A

Pet. Exh. 1

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

ADDRESS 8659 WINANDS ROAD OWNER(S) NAME(S) WINSOME BECKFORD

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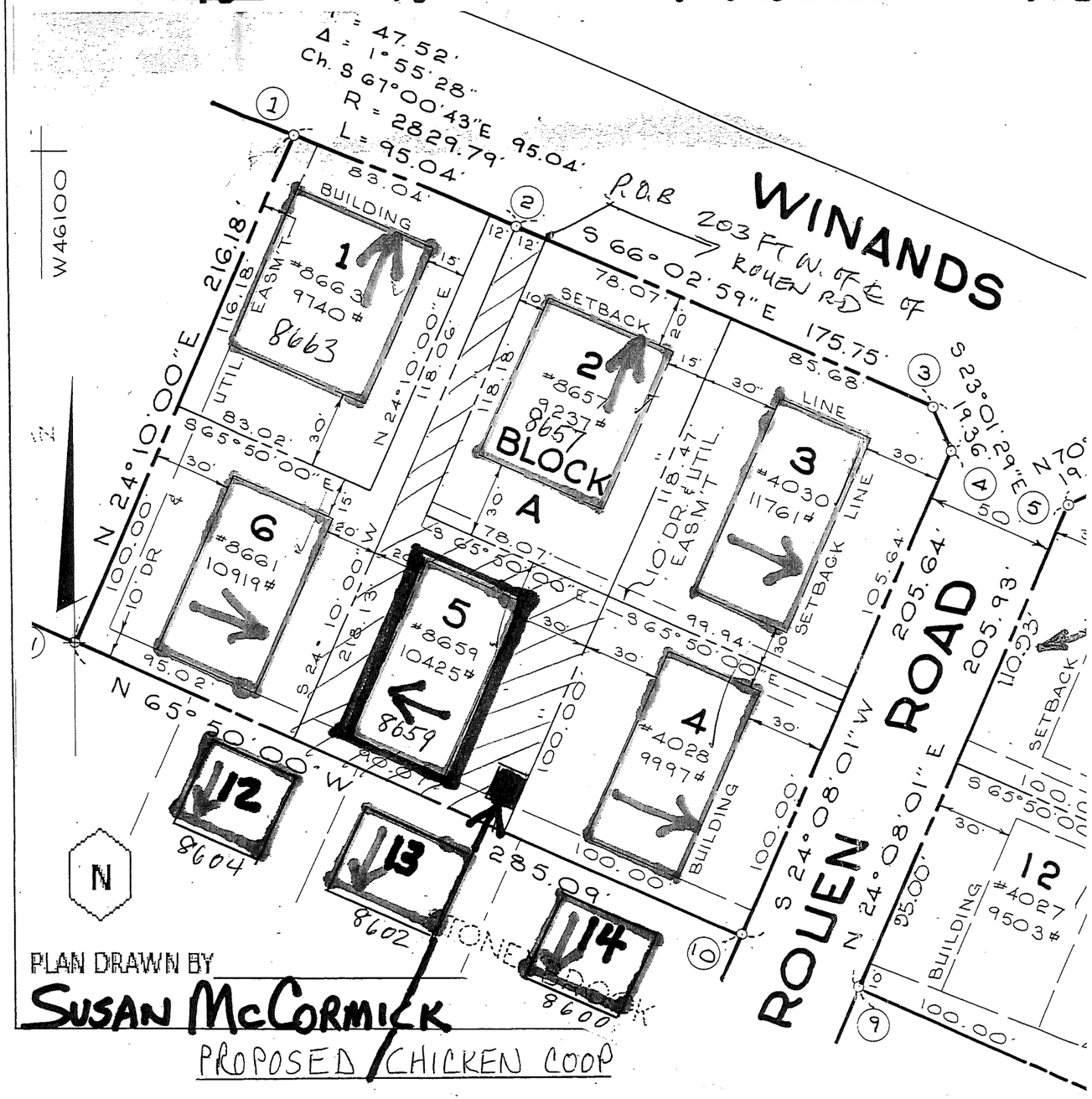
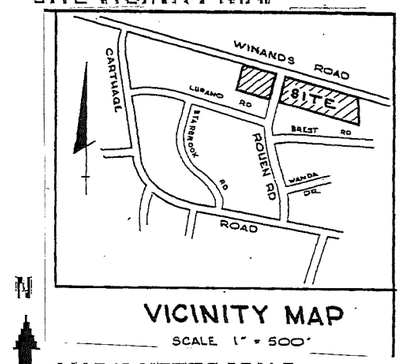


PLAN DRAWN BY

SUSAN McCORMICK

PROPOSED CHICKEN COOP

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 077B1

SITE ZONED DR35

ELECTION DISTRICT 2ND

COUNCIL DISTRICT 4TH

LOT AREA ACREAGE —

OR SQUARE FEET 9,997

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? No

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE ____

SEWER IS:

PUBLIC X PRIVATE ____

PRIOR HEARING ? No

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

NO

2016-0314-A