

MEMORANDUM

DATE: April 19, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0198-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 18, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(11127 Bird River Grove Road)

15th Election District

6th Council District

Jeffrey & Teresa Hollar

Legal Owners

Petitioners

*

*

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*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0198-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Jeffrey & Teresa Hollar, the legal owners of the subject property (“Petitioners”). The Petition seeks variance relief from Section 100.6 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit fowl or poultry (chicken) with an area of 0.26 acre in lieu of the minimum required 1 acre. A site plan was marked as Petitioners’ Exhibit 1.

Owners Jeffrey & Teresa Hollar appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Environmental Protection and Sustainability (DEPS). That agency noted that although the property is within the critical area, it is not waterfront and no “development” is proposed. As such, according to DEPS, the “Critical Area regulations are not applicable.”

The site is approximately 11,300 sq. ft. in size and zoned RC-2. The property is improved with a single-family dwelling with attached garage. Petitioners stated they have kept chickens on their property (which is in a rural area and adjoins a large farm) for over 10 years. An anonymous complaint was filed with the Department of Permits, Approvals and Inspections which required Petitioners to seek zoning relief.

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

ORDER RECEIVED FOR FILING

Date

3/19/18

By

ser

- (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).

The property is narrow and deep (50' x 226') and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to keep chickens at their property, which they have done for 10 years without complaint. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare.

THEREFORE, IT IS ORDERED, this 19th day of **March, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit fowl or poultry (chicken) with an area of 0.26 acre in lieu of the minimum required 1 acre, be and is hereby GRANTED.

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 3/19/18

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 11127 Bird River Grove Rd. White Marsh, MD 21162 which is presently zoned RC2
 Deed References: 108095 / 00685 10 Digit Tax Account # 15-19-512010
 Property Owner(s) Printed Name(s) Jeffrey E. Hollar, Teresa M. Hollar

(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. ☒ a Variance from Section(s) 100.6 BCZR

To permit fowl or poultry (chicken) with an acre of 0.26 Ac in lieu of the minimum required 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

Attorney for Petitioner

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Jeffrey E. Hollar, Teresa M. Hollar

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

11127 Bird River Grove Rd. White Marsh, Md.

Mailing Address

City

State

21162

Zip Code

410 227-5999

Telephone #

tmhollar@comcast.net

Email Address

Representative to be contacted:

Jeffrey E. Hollar or Teresa M. Hollar

Name - Type or Print

Signature

11127 Bird River Grove Rd

Mailing Address

City

State

21162, 410 227-5999

Zip Code

410 227-5999

Telephone #

tmhollar@comcast.net

Email Address

CASE NUMBER 2018-0198-A Filing Date 1/31/18

Do Not Schedule Dates:

Reviewer JF

ZONING PROPERTY DESCRIPTION FOR 11127 Bird River Grove Rd.

ALL THAT PARCEL OF LAND IN BALTIMORE COUNTY, STATE OF MARYLAND, AS MORE FULLY DESCRIBED IN DEED BOOK 8095, PAGE 685, ID# 15-1519512010, BEING KNOWN AND DESIGNATED AS: ALL THAT LOT OF GROUND SITUATE IN THE FIFTEENTH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING KNOWN AND DESIGNATED AS LOT NO. 29 IN SECTION B AS SHOWN ON THE AMENDED PLAT OF SECTION B BIRD RIVER GROVE WHICH IS RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY IN PLAT BOOK CHK NO. 13, FOLIO 1.

Beginning at a point on the south side of Bird River Grove Road which is 40 feet wide at a distance of 2600 feet + - east of the centerline of the nearest improved intersecting street Ebenezer Road which is 50 feet wide.



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 5465029

Sold To:

Teresa Hollar - CU00640248
11127 Bird River Grove Rd
White Marsh, MD 21162-1805

Bill To:

Teresa Hollar - CU00640248
11127 Bird River Grove Rd
White Marsh, MD 21162-1805

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

Feb 22, 2018

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: # 2018-0198-A
11127 Bird River Grove Road
S/s Bird River Grove Road, 2600 ft. east of Ebenezer Road
15th Election District - 6th Councilmanic District
Legal Owner(s) Jeffrey & Teresa Hollar

Variance to permit fowl or poultry (chicken) with an area of 0.26 acre in lieu of the minimum required 1 acre.

Hearing: Friday, March 16, 2018 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.

2-153 February 22 5465029

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

CASE NO. 2018-0198-A

PETITIONER/DEVELOPER

JEFFREY & TERESA

HOUAR

DATE OF HEARING/CLOSING

3/16/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

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

11127 BIRD RIVER GROVE RD

THIS SIGN(S) POSTED ON February 24, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 2/24/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

CASE # 2018-0198-A

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

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: FRIDAY, MARCH 16, 2018 AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT FOWL OR POULTRY
(CHICKEN) WITH AN AREA OF 0.26 ACRES IN LIEU OF
THE MINIMUM REQUIRED 1 ACRE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOME TIMES NECESSARY
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

2/24/18

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 22, 2018 Issue - Jeffersonian

Please forward billing to:

Teresa Hollar
11127 Bird River Grove Road
White Marsh, MD 21162

410-227-5999

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: 2018-0198-A

11127 Bird River Grove Road
S/s Bird River Grove Road, 2600 ft. east of Ebenezer Road
15th Election District – 6th Councilmanic District
Legal Owners: Jeffrey & Teresa Hollar

Variance to permit fowl or poultry (chicken) with an area of 0.26 acre in lieu of the minimum required 1 acre.

Hearing: Friday, March 16, 2018 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.



KEVIN KAMENETZ
County Executive

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

February 14, 2018

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: 2018-0198-A

11127 Bird River Grove Road

S/s Bird River Grove Road, 2600 ft. east of Ebenezer Road

15th Election District – 6th Councilmanic District

Legal Owners: Jeffrey & Teresa Hollar

Variance to permit fowl or poultry (chicken) with an area of 0.26 acre in lieu of the minimum required 1 acre.

Hearing: Friday, March 16, 2018 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".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Hollar, 11127 Bird River Grove Road, White Marsh 21162

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., FEBRUARY 24, 2018.**
- (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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
11127 Bird River Grove Rd; S/S Bird River Grove *
Road, 2,600; E of c/line of Ebenezer Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Jeffrey & Teresa Hollar * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2018-198-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.

RECEIVED

FEB 05 2018

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 5th day of February, 2018, a copy of the foregoing Entry of Appearance was mailed to Jeffrey & Teresa Hollar, 11127 Bird River Grove Road, White Marsh, Maryland 21162, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2018-0198-A
Property Address: 11127 Bird River Grove Rd. White Marsh, Md. 21162
Property Description: _____

Legal Owners (Petitioners): Jeffrey + Teresa HOLLAR
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Teresa HOLLAR

Company/Firm (if applicable): _____

Address: 11127 Bird River Grove Road
White Marsh, Md. 21162

Telephone Number: 410 227-5999

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

NO 163172

Date:

1/31/18

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150				75.00

Total: 75.00

Rec

From: Teresa Haller

For:

11127 Bird River Grove Rd.

Petition for Variance year # 2018-0198-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME
2/01/2018 1/31/2018 10:46:59
REG 0501 WALKIN LJR
RECEIPT # 773535 1/31/2018 OFLN
Dept 5 529 ZONING VERIFICATION
CR NO. 163172
Recpt Tot \$75.00
\$75.00 CK \$1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

March 7, 2018

Jeffrey E & Teresa M Hollar
11127 Bird River Grove Road
White Marsh MD 21162

RE: Case Number: 2018-0198 A, Address: 11127 Bird River Grove Road

Dear Mr. & Ms. Hollar:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 31, 2018. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 2/5/18

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

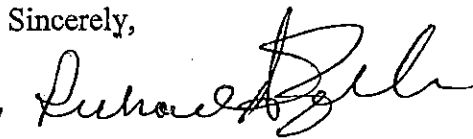
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0198-A

Variance
Jeffrey E. & Teresa M. Hollar
11127 Bird River Grove 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,



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

WW/RAZ

3-16

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 2/27/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-198



INFORMATION:

Property Address: 11127 Bird River Grove Road
Petitioner: Jeffrey E. Hollar, Teresa M. Hollar
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit fowl or poultry (chicken) with an area of .26 acres in lieu of the minimum required one acre.

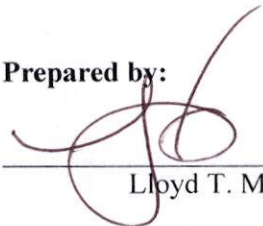
A site visit was conducted on 2/8/2018. The site is the subject of violation case # CC1714456.

The petitioners have indicated to the Department that 13 chickens are currently kept on the property and they have no intention to keep more than that number.

The Department has no objection to granting the petitioned zoning relief.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Laurie Hay
Jeffrey E. Hollar, Teresa M. Hollar
Office of the Administrative Hearings
People's Counsel for Baltimore County

3-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: February 20, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0198-A
Address 11127 Bird River Grove Road
(Hollar Property)

Zoning Advisory Committee Meeting of **February 9, 2018.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to allow fowl or poultry with less than the required acreage. The lot is not waterfront, and no development activities are proposed. The Critical Area requirements apply at the time of development activity. Therefore, this is not applicable.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront and no development activities are proposed. Therefore the Critical Area regulations are not applicable.

RECEIVED

OFFICE OF
ADMINISTRATIVE SERVICES

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

As no development is proposed, the Critical Area regulations are not applicable.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 2/27/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-198

INFORMATION:

Property Address: 11127 Bird River Grove Road
Petitioner: Jeffrey E. Hollar, Teresa M. Hollar
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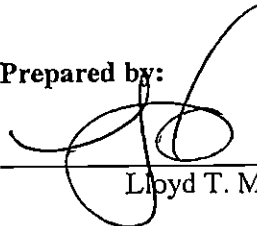
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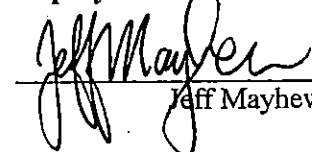
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Laurie Hay
Jeffrey E. Hollar, Teresa M. Hollar
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: February 20, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0198-A
Address 11127 Bird River Grove Road
(Hollar Property)

Zoning Advisory Committee Meeting of February 9, 2018.

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2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront and no development activities are proposed. Therefore the Critical Area regulations are not applicable.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

As no development is proposed, the Critical Area regulations are not applicable.

Reviewer: Regina Esslinger

CASE NO. 2018- 0198-A

C H E C K L I S T

<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 _____)	_____
<u>2/20</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>2/27</u>	PLANNING (if not received, date e-mail sent _____)	<u>No objection</u>
<u>2/5/18</u>	STATE HIGHWAY ADMINISTRATION	<u>No Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. <u>CC 1714456</u>)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>2/22/18</u>	
SIGN POSTING	Date: <u>2/24/18</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

A. (1)

1/2

1/2

1/2

1/2

1/2

1/2

1/2

1/2

x

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1519512010			
Owner Information					
Owner Name:	HOLLAR JEFFREY E HOLLAR TERESA M		Use:	RESIDENTIAL	
Mailing Address:	11127 BIRD RIVER GR RD WHITE MARSH MD 21162-1805		Principal Residence:	YES	
			Deed Reference:	/08095/ 00685	
Location & Structure Information					
Premises Address:		11127 BIRD RIVER GROVE RD 0-0000		Legal Description: BIRD RIVER GROVE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0073	0020	0325		0000	B 29 2018 0013/0001
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area		Finished Basement Area		Property Land Area
1963	1,728 SF				11,300 SF
County Use					
04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	SIDING	1 full	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2017	
				As of	
				07/01/2018	
Land:	141,300	141,300			
Improvements	87,300	103,500			
Total:	228,600	244,800		228,600	234,000
Preferential Land:	0				0
Transfer Information					
Seller: SMITH JAMES, JR		Date: 02/06/1989		Price: \$97,500	
Type: ARMS LENGTH IMPROVED		Deed1: /08095/ 00685		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
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 02/17/2009					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application Date:					

3/16
10 AM

Case No.: 2018-0198-A 11127 Bird River Grove Rd.

Exhibit Sheet

3-19-18
Sen

Petitioner/Developer

DW
3-19-18

Protestants

No. 1	Plan	
No. 2	Petition of support	
No. 3	Photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

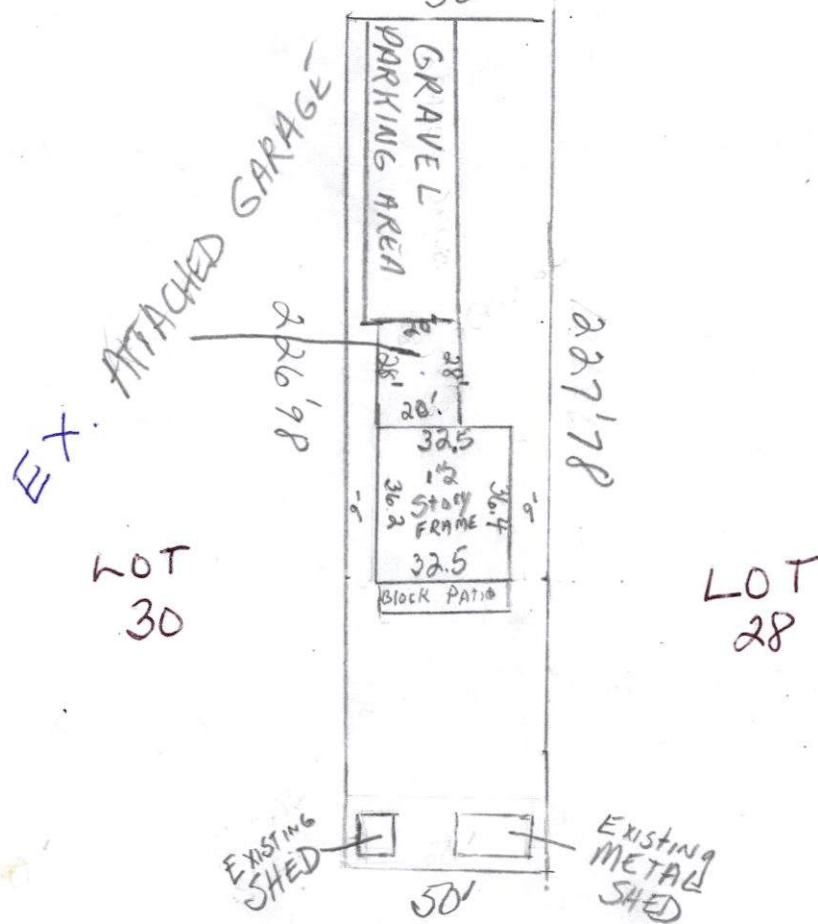
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 11127 Bird River Grove Rd. OWNER(S) NAME(S) Jeffrey + Teresa Hollar

SUBDIVISION NAME 0000 LOT # 29 BLOCK # _____ SECTION # B

PLAT BOOK # 0013/0001 FOLIO # _____ 10 DIGIT TAX # 1519512010 DEED REF. # 08095100685

BIRD RIVER GROVE RD.



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0073

SITE ZONED RC2

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE 0.26 AC

OR SQUARE FEET 11,300

HISTORIC? NO

IN CBCA? yes

IN FLOOD PLAIN? C

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC1714456

Pct. 1

PLAN DRAWN BY Teresa Hollar RC 50 - FARMLAND DATE 1/28/18 SCALE: 1 INCH = 50 FEET

- We, Jeffrey and Teresa Hollar are applying for a variance to continue to keep 12 chickens at 11127 Bird River Grove Road, White Marsh, Md. 21162 in lieu of the 1 acre required by Baltimore County Zoning. We are located in Zone RC2 which is agriculture.

We the undersign have lived her for ____ (See Below) years. There has always been these types of animals in the area.

We the undersign have no objection to the variance for these animals to live on the above mentioned properties.

<u>Name</u>	<u>Address</u>	<u>Years Lived Here</u>
Patricia Barnes	11210 Bird River Grove Rd	14
Vlene Turmond	11212 Bird River Grove Rd	14
Tom MAOZ	11212 Bird River Grove Rd	5
ANTHONY Simonais	11208 Bird River Grove Rd	40 +
Jacqueline Hoffman	11135 Bird River Grove Rd	2 1/2
Jennifer Gross	11202 Bird River Grove Rd.	8
Colleen Clark	11200 Bird River Grove Rd	14
Susan Anderson	11136 Bird River Grove Rd.	1
Joseph J. Anderson	11136 Bird River Grove Rd.	1
Gina Dugenio	11131 Bird River Grove Rd	7
Joe Reichert	11131 Bird River Grove Rd	7
Gary Hettchen	11126 Bird River Grove Rd	15
Beverleigh Dzelger	11124 Bird River Grove Rd	3
Greg Nelson	11120 Bird River Grove Rd	17
Wayne Allen Smith	11116 Bird River Grove Rd	25
Stacey Hawler	11117 Bird River Grove Rd.	3
Michael Walsch	11119 Bird River Grove Rd	1
MARK STORTZ	11123 BIRD RIVER GROVE	2
Yana Wanda	11123 Bird River Grove	2
William C. Cylva	11125 Bird River Grove Rd	11
Millie L. Hemler	11130 Bird River Grove Rd	6 years

Name	Address	Years lived here
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Josh Amend	11134 Bird River Grove Road	1
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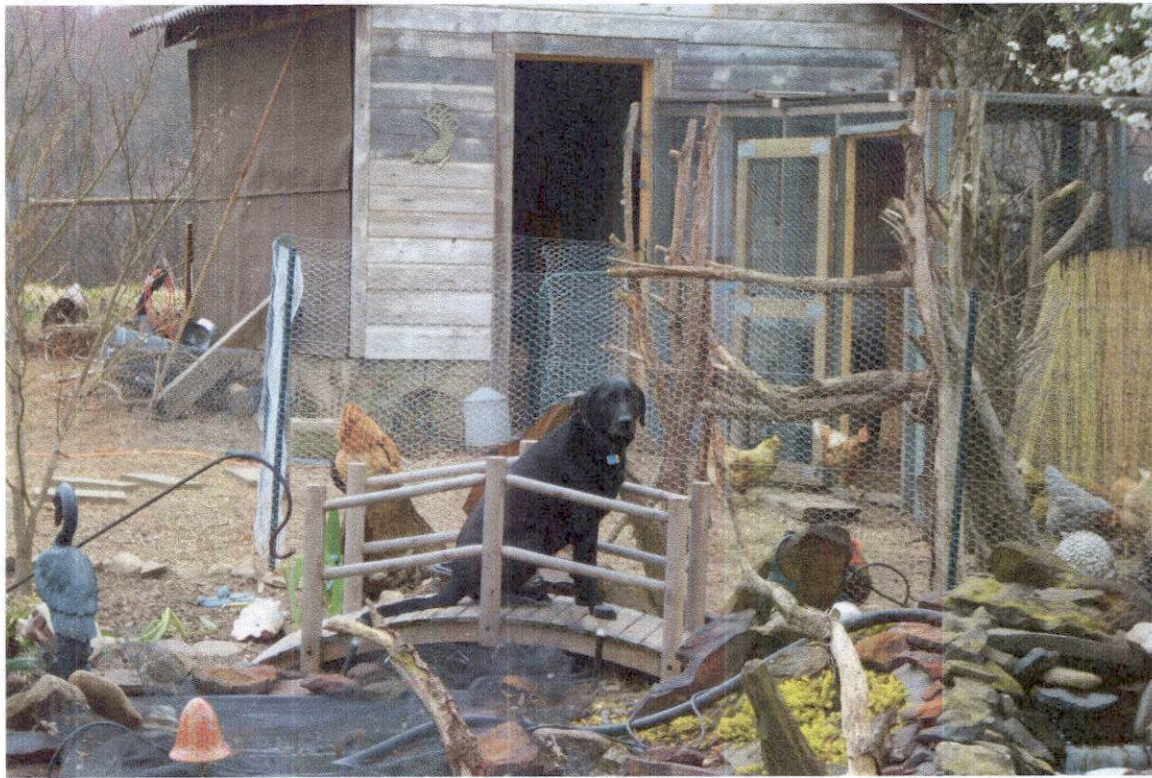
Ashley Riter	11134 Bird River Grove Road	1
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CELESTE WEAVER	11138 " " " "	21
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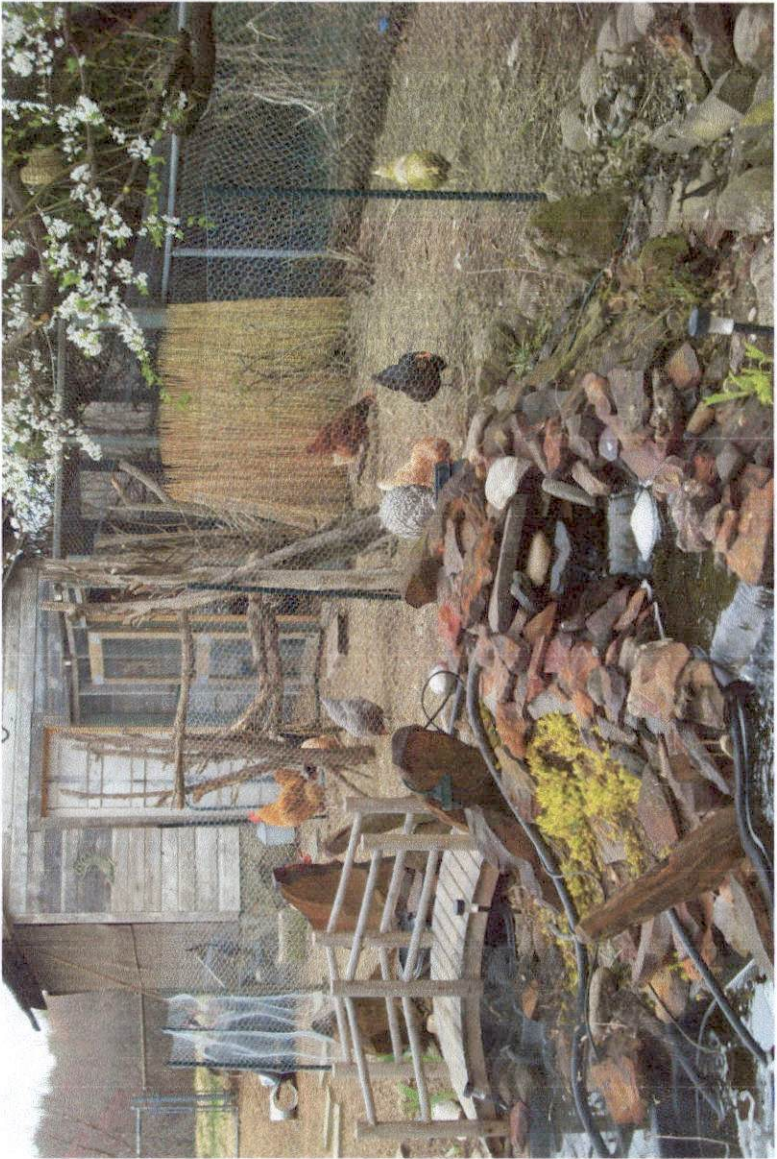
JACQUELINE SNYDER	11140 " " " "	29
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Sarah Kramer	11129 Bird River Grove RD	1
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Gregory Huber	" "	1
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Pet-3





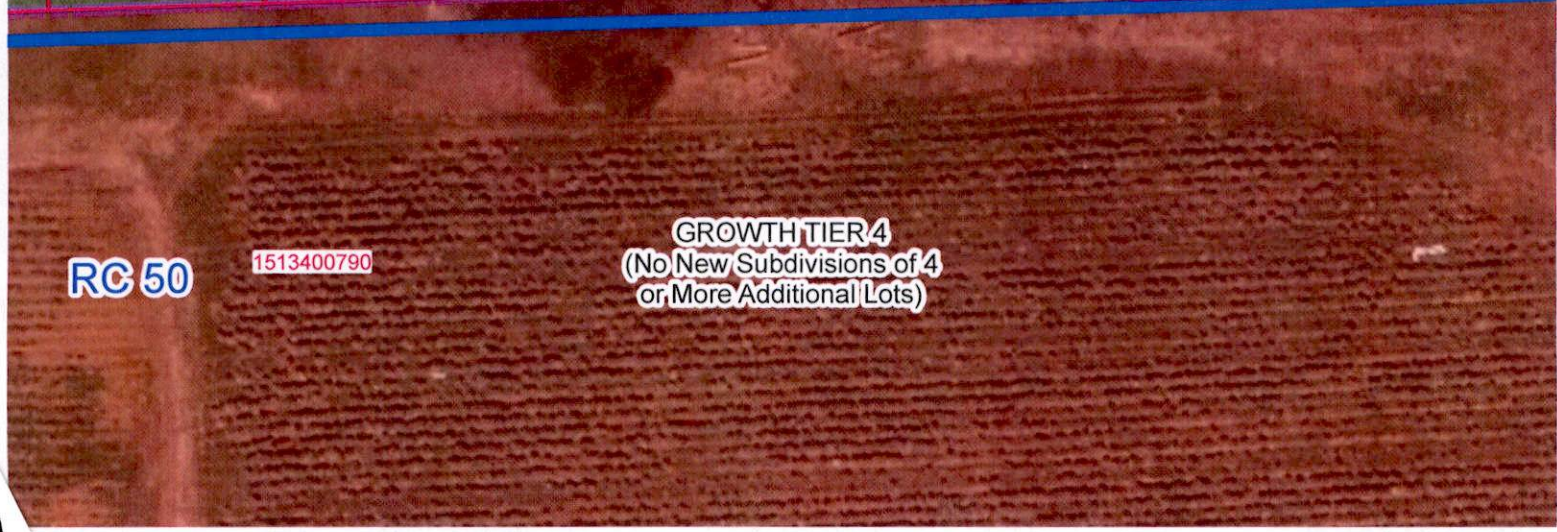




10-10-2017



BIRD RIVER GROVE RD



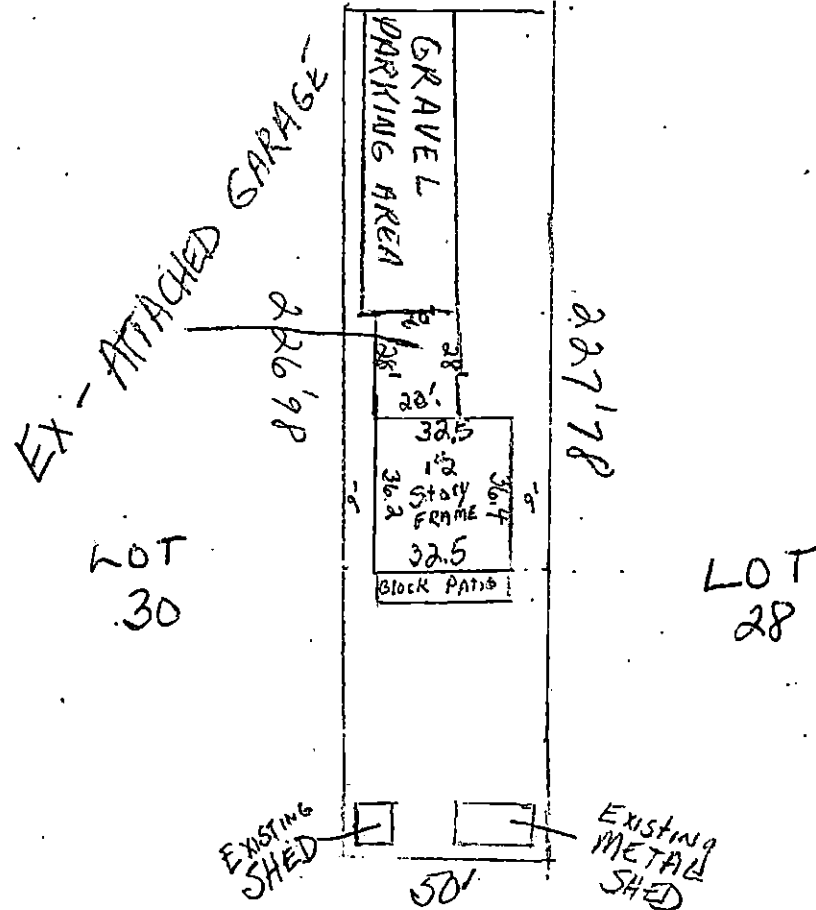
RC 50

1513400790

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

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 11127 Bird River Grove Rd. OWNER(S) NAME(S) Jeffrey + Teresa Hollar
SUBDIVISION NAME 0000 LOT # 29 BLOCK # _____ SECTION # B
PLAT BOOK # 0013/0003 FOLIO # _____ 10 DIGIT TAX # 1519512010 DEED REF. # 08095100685

BIRD RIVER GROVE RD.
50'



PLAN DRAWN BY Teresa Hollar RC 50 - FARMLAND DATE 1/28/18 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 0073
SITE ZONED RC2
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE 0.26 AC
OR SQUARE FEET 11,300
HISTORIC? NO
IN CBCA? yes
IN FLOOD PLAIN? C
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

VIOLATION CASE INFO:

CC1714436

100.4

To allow ~~to allow~~ for ~~to~~ foul or
pooling (circumstances) ^{to be} in line of the
regulation

To permit foul or poultry (chicken)
with or without — in 1-