

M E M O R A N D U M

DATE: February 5, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0132-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 4, 2019. 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

(11117 Bird River Grove Road)

15th Election District

6th Council District

Stacey Haines

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0132-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Stacey Haines, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from the Baltimore County Zoning Regulations ("BCZR") to permit keeping chickens on a property of 0.507 acres in lieu of the minimum required 1 acre pursuant to BCZR Section 100.6. A site plan was marked as Petitioner's Exhibit 1.

Stacey Haines 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. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Planning ("DOP"). Neither agency opposed the requests.

The site is approximately 0.507 acres in size and is zoned RC-2. The property is improved with a single-family dwelling constructed in 1967. Petitioner has for the last two years kept chickens on her property. An anonymous complaint was filed recently with the Bureau of Code Enforcement, and Petitioner was instructed to seek zoning relief.

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

ORDER RECEIVED FOR FILING

Date 1-4-19

By HW

- (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 has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to keep chickens on her property. 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. This is demonstrated by the absence of County and/or community opposition. Petitioner also noted her property borders Richardson Farms, a large agricultural operation of long-standing in eastern Baltimore County. As such, I do not believe granting the petition will have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED, this 4th day of **January, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit keeping chickens on a property of 0.507 acres in lieu of the minimum required 1 acre, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with the ZAC comment submitted by DEPS, a copy of which is attached hereto and made a part hereof.
3. No more than twelve (12) chickens may be kept on the property. No roosters shall be kept on the property.

ORDER RECEIVED FOR FILING

Date 1-4-19

By LSW

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:slh

ORDER RECEIVED FOR FILING

Date 1-4-19

By SW



CRCA

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 1117 Bird River Grove Rd. 21162 which is presently zoned RC 2
Deed References: 3601/00274 10 Digit Tax Account # 1520200300
Property Owner(s) Printed Name(s) Stacey L. Haines

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

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

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

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

3. ☒ a **Variance** from Section(s)

... Section 100.6 – to permit the stabling of poultry on a property of 0.507 acres 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)

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):

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

1117 Bird River Grove Rd. White Marsh, MD
Mailing Address City State

21162 / 410-409-4837 / Redbird3105@yahoo.com
Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2019-0132-A Filing Date 10/22/18 Do Not Schedule Dates: _____

Reviewer [Signature]

ZONING PROPERTY DESCRIPTION FOR 11117 BIRD RIVER GROVE ROAD

Beginning at a point on the south side of Bird River Grove Road, which is 16 feet wide, at a distance of +/-4100 feet east of the centerline of the nearest improved intersecting street Ebenezer Road, which has a 40-foot right of way. Being Lots #35 and 36, Section B, in the subdivision of BIRD RIVER GROVE as recorded in Baltimore County Plat Book #13, Folio #1, containing 22,100 square feet. Located in the 15th Election District and 6th Councilmanic District.

Item #0132

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Tuesday, January 01, 2019 8:55 PM
To: Administrative Hearings
Subject: 11117 Bird River Grove Rd.

RECEIVED

JAN 02 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-0132-A
PETITIONER/DEVELOPER
STACEY HAINES

DATE OF HEARING/CLOSING
1/3/2019

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
11117 BIRD RIVER GROVE ROAD

THIS SIGN(S) POSTED ON December 17, 2018 January 1, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411



CERTIFICATE OF POSTING

CASE NO. 269-0132-A

PETITIONER/DEVELOPER

STACEY HAINES

DATE OF HEARING/CLOSING

1/3/2018

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

11117 BIRD RIVER GROVE ROAD

Sheet #2

THIS SIGN(S) POSTED ON

December 12, 2017

(MONTH, DAY, YEAR)

January 1, 2018

SINCERELY,

Martin Ogle

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21214

443-629-3411

ZONING

Notice of Hearing
The following zoning change is being considered by the Board of Zoning Appeals for the property located at 11117 Bird River Grove Road, Parkville, MD. The hearing will be held on January 1, 2018, at 10:00 AM in Room 111 of the County Office Building, 111 West Chesapeake Avenue, Baltimore, MD. Any person wishing to speak at the hearing should contact the Board of Zoning Appeals at least 48 hours prior to the hearing.

Martin Ogle 1/1/18

Sent from my iPhone

RECEIVED

JAN 02 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

CASE NO. 2019-0132-A

PETITIONER/DEVELOPER

STACEY HAINES

DATE OF HEARING/CLOSING

1/3/2019

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

11117 BIRD RIVER GROVE ROAD
SIGN#1

THIS SIGN(S) POSTED ON December 12, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/12/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

Side # 2

ZONING NOTICE

CASE # 2019-0132-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: 7024 205, JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: THURSDAY, JANUARY 3, 2020 AT 10:00 A.M.

REQUEST:

VARIANCE TO PERMIT THE STORAGE OF Poultry ON A
PROPERTY OF 0.509 ACRES IS LESS OF THE MINIMUM
REQUIRED 1 ACRE.

FOR INFORMATION, THE TOWSON BOARD OF ZONING ADJUSTMENTS HAS REVIEWED THE REQUEST AND HAS DETERMINED THAT THE REQUEST IS IN ACCORDANCE WITH THE TOWSON ZONING ORDINANCES. THE BOARD HAS GRANTED THE REQUEST AND HAS ISSUED A VARIANCE TO PERMIT THE STORAGE OF Poultry ON A PROPERTY OF 0.509 ACRES IS LESS OF THE MINIMUM REQUIRED 1 ACRE.

PLANNING AND ZONING DEPARTMENT

Yachtman 8/12/12/18

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

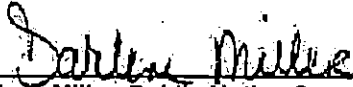
PUBLISHER'S AFFIDAVIT

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

12/14/2018

Order #: 11660082
Case #: 2019-0132-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0132-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0132-A

11117 Bird River Grove Road

S/s Bird River Grove Road, east of Ebenezer Road

15th Election District - 6th Councilmanic District

Legal Owners: Stacey Haines

Variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the minimum required 1 acre.

Hearing: Thursday, January 3, 2019 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.

d14

CERTIFICATE OF POSTING

CASE NO. 2019-0132-A

PETITIONER/DEVELOPER

STACEY HAINES

DATE OF HEARING/CLOSING

1/3/2019

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

11117 BIRD RIVER GROVE ROAD
SIGN #2

THIS SIGN(S) POSTED ON December 12, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/12/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

SIGN = 2

ZONING

NOTICE

CASE # 2019-0132-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: Room 205, Jefferson Building, 105 West
Chesapeake Avenue, Towson, 21204
DATE AND TIME: Thursday, January 3, 2020 at 10:00 AM
REQUEST:

VARIANCE TO PERMIT THE STABILIZATION OF POULTRY ON A
PROPERTY OF 0.607 ACRES IN LIEU OF THE MINIMUM
REQUIRED 1 ACRE.

FOR FURTHER INFORMATION, CONTACT THE TOWSON PLANNING DEPARTMENT, 1000 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
TELEPHONE: 410-281-1234 FAX: 410-281-1235

IF YOU HAVE ANY COMMENTS, PLEASE CONTACT THE TOWSON PLANNING DEPARTMENT, 1000 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204
TELEPHONE: 410-281-1234 FAX: 410-281-1235

HANDICAPPED ACCESSIBLE

mya sh 12/12/18



DONALD I. MOHLER III
County Executive

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

November 28, 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: 2019-0132-A

11117 Bird River Grove Road
S/s Bird River Grove Road, east of Ebenezer Road
15th Election District – 6th Councilmanic District
Legal Owners: Stacey Haines

Variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the minimum required 1 acre.

Hearing: Thursday, January 3, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Stacey Haines, 11117 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 FRIDAY, DECEMBER 14, 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.

TO: THE DAILY RECORD
Friday, December 14, 2018 - Issue

Please forward billing to:

Stacey Haines
11117 Bird River Grove Road
White Marsh, MD 21162

410-409-4837

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: 2019-0132-A

11117 Bird River Grove Road
S/s Bird River Grove Road, east of Ebenezer Road
15th Election District – 6th Councilmanic District
Legal Owners: Stacey Haines

Variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the minimum required 1 acre.

Hearing: Thursday, January 3, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
11117 Bird River Grove Road; S/S Bird River *
Grove Road, 4100' E of c/line of Ebenezer Rd * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Stacey Haines * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-132-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

Carole S Demilio

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

RECEIVED

NOV 08 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Stacey Haines, 11117 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/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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: 2019-0132-A
Property Address: 11117 Bird River Grove Rd
Property Description: South of Bird River Grove Rd, 1/2 mile
East of Ebenezer Rd
Legal Owners (Petitioners): Stacey Haines
Contract Purchaser/Lessee: Stacey Haines

PLEASE FORWARD ADVERTISING BILL TO:

Name: Stacey Haines
Company/Firm (if applicable): _____
Address: 11117 Bird River Grove Rd.
White Marsh, MD 21162
Telephone Number: 410-409-4837

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

No. **176293**

Date: **10/22/18**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 10/23/2018 10/22/2018 11:56:52 5

WALKIN LRB
 030568 10/22/2018 OFLN

>> RECEIPT
 Dept 5 528 ZONING VERIFICATION

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$75.00

Rec Tot \$75.00
 \$7.00 CK \$1.00 CA
 Baltimore County, Maryland

Total: **\$75.00**

Rec From: **S. Haines**

For: **Zoning hearing - case # 2019-0132-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

December 27, 2018

Stacey Haines
11117 Bird River Grove Road
White Marsh, MD 21162

RE: Case Number: 2019-0132-A, Address: 11117 Bird River Grove Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 22, 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, appearing to read "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

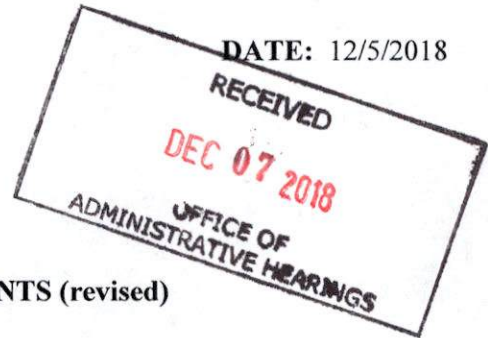
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS (revised)
Case Number: 19-132



INFORMATION:

Property Address: 11117 Bird River Grove Road
Petitioner: Stacey Haines
Zoning: RC 2
Requested Action: Variance

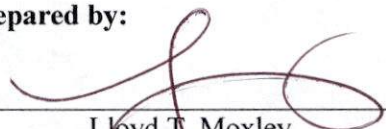
Subsequent to staff discussions with the petitioner clarifying the proposal the Department of Planning offers the following revised recommendation regarding the petition for variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the maximum required 1 acre.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Petitioners indicate not more than six chickens are kept. The maximum number of chickens on site at any one time shall be limited at six. No poultry shall be male.
- Petitioners must demonstrate to the satisfaction of the Administrative Law Judge that violation case # CC1814728 has been successfully addressed and any debris visible from the public domain removed.

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

Prepared by:

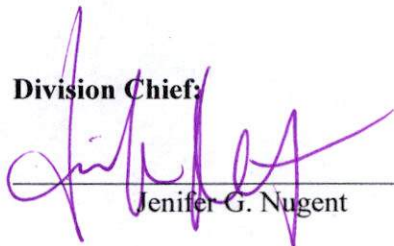


Lloyd T. Moxley

AVA/JGN/LTM/

c: Krystle Patchak
Stacey Haines
Office of the Administrative Hearings
People's Counsel for Baltimore County

Division Chief:



Jennifer G. Nugent

RECEIVED
OFFICE OF
THE ATTORNEY GENERAL

RECEIVED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-132



INFORMATION:

Property Address: 11117 Bird River Grove Road
Petitioner: Stacey Haines
Zoning: RC 2
Requested Action: Variance

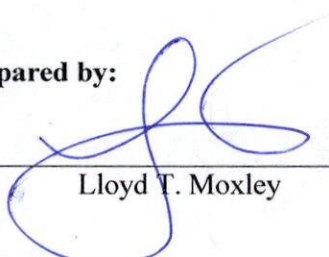
The Department of Planning has reviewed the petition for variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the maximum required 1 acre.

A site visit was conducted on November 7, 2018. The property is the subject of code enforcement violation case # CC1814728.

The Department of Planning objects to granting the petitioned zoning relief. The particular dimensions and insufficient size of the subject site cannot provide adequate separation or buffers and precludes it from successfully integrating the livestock use into the neighborhood.

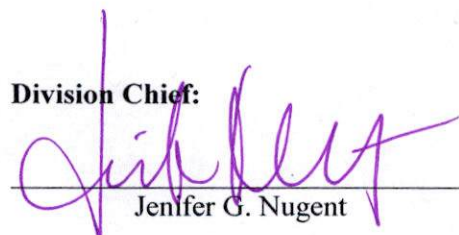
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Krystle Patchak
Stacey Haines
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: December 6, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0132-A
Address 11117 Bird River Grove Road
(Haines Property)

Zoning Advisory Committee Meeting of November 12, 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 stable chickens on a lot smaller than permitted. A new 1408 square foot structure is proposed. The lot is not waterfront. No lot coverage or afforestation information was provided. If all LDA requirements, including lot coverage limits and afforestation can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

No lot coverage or afforestation information was provided. If lot coverage and afforestation requirements can be met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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;

All Critical Area lot coverage and afforestation requirements must be met to determine that the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

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: December 6, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0132-A
Address 11117 Bird River Grove Road
(Haines Property)

Zoning Advisory Committee Meeting of **November 12, 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 stable chickens on a lot smaller than permitted. A new 1408 square foot structure is proposed. The lot is not waterfront. No lot coverage or afforestation information was provided. If all LDA requirements, including lot coverage limits and afforestation can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

No lot coverage or afforestation information was provided. If lot coverage and afforestation requirements can be met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the

C:\Users\snufler\AppData\Local\Microsoft\Windows\Temporary Internet
Files\Content.Outlook\WPHS9SSK\ZAC 19-0132-A-EIR 11117 Bird River Grove Road.doc

ORDER RECEIVED FOR FILING

Date 1-4-19

By 103

fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

All Critical Area lot coverage and afforestation requirements must be met to determine that the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

ORDER RECEIVED FOR FILING

Date 1-4-19

By [Signature]

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: December 6, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0132-A
Address 11117 Bird River Grove Road
(Haines Property)

Zoning Advisory Committee Meeting of November 12, 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 stable chickens on a lot smaller than permitted. A new 1408 square foot structure is proposed. The lot is not waterfront. No lot coverage or afforestation information was provided. If all LDA requirements, including lot coverage limits and afforestation can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

No lot coverage or afforestation information was provided. If lot coverage and afforestation requirements can be met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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;

All Critical Area lot coverage and afforestation requirements must be met to determine that the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: November 26, 2018

FROM: *VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2018
Item No. 2019-0129-A, 0130-A, 0131-A, 0132-A, 0133-SPHA, 0134-A,
0135-A, 0136-A, 0137-A, 0096-A, 0139-A, 0140-A, 0144-SPHA and 0149-A

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

*

*

*

*

*

VKD: cen
cc: file

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 11/7/18

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

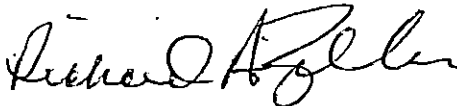
Dear Ms. Lewis:

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. 2019-0132-A

Variance
Stacey Haines
1117 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

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

11/26

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

No Comment

12/6

DEPS
(if not received, date e-mail sent _____)

Comment

12/7

FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)

Comment

11/7

STATE HIGHWAY ADMINISTRATION
TRAFFIC ENGINEERING

No Obj

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/14/18

SIGN POSTING (1st)

Date:

12/12/18

by

Ogle

SIGN POSTING (2nd)

Date:

1/1/19

by

Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

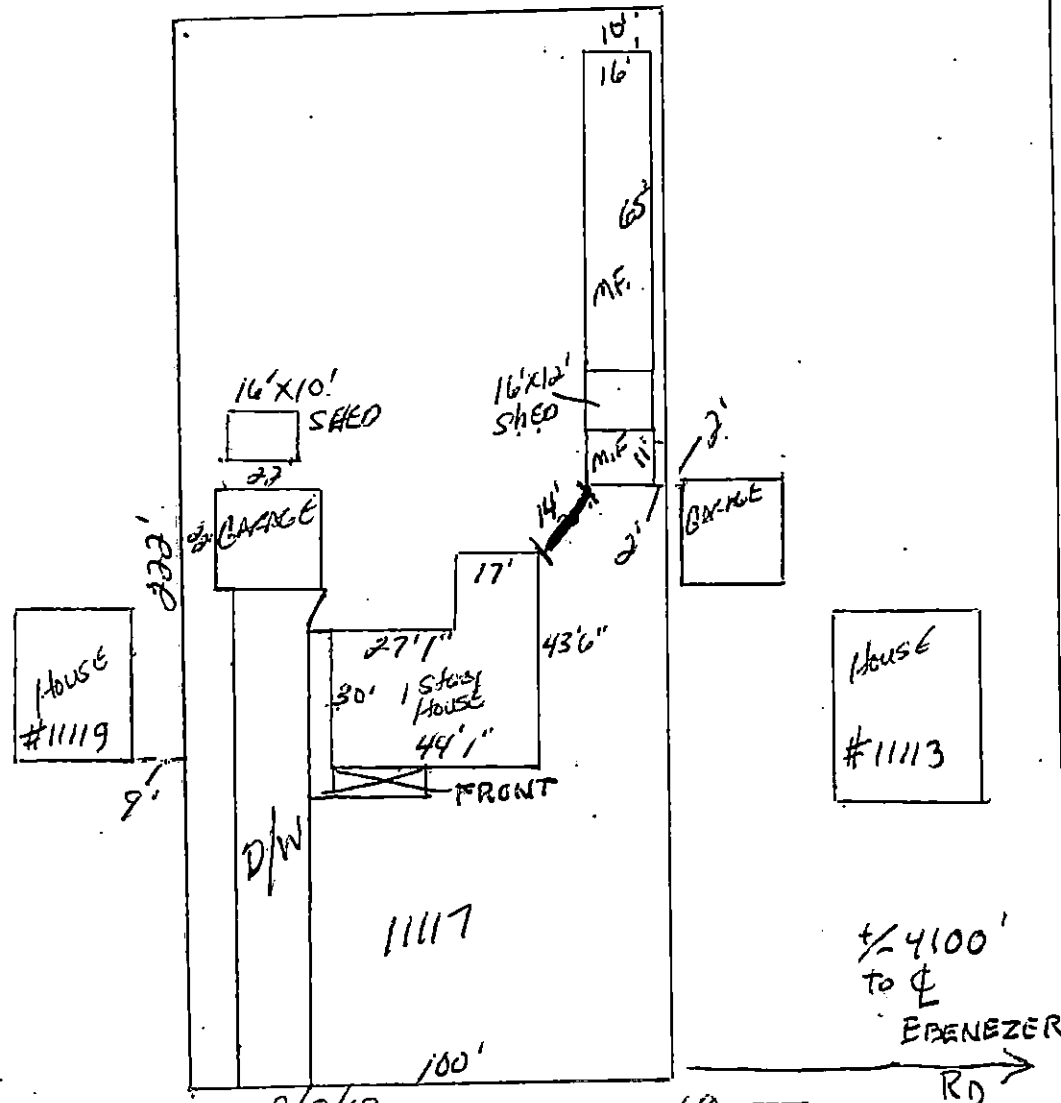
View Map			View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Account Identifier:			District - 15 Account Number - 1520200300							
Owner Information										
Owner Name:		HAINES STACEY LYNN			Use:		RESIDENTIAL			
Mailing Address:		11117 BIRD RIVER GROVE RD WHITE MARSH MD 21162-1805			Principal Residence:		YES			
					Deed Reference:		/36501/ 00274			
Location & Structure Information										
Premises Address:		11117 BIRD RIVER GROVE RD WHITE MARSH 21162-1805			Legal Description:		LT 35,36 11117 BIRD RIVER GR RD BIRD RIVER GROVE			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0073	0020	0325		0000	B		35	2018	Plat Ref: 0013/ 0001	
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1967		1,528 SF				22,100 SF		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1	YES	STANDARD UNIT	BRICK	1 full	1 Detached					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of			
					01/01/2018		07/01/2018			
							As of			
							07/01/2018			
Land:		144,500		144,500						
Improvements		144,600		122,200						
Total:		289,100		266,700		266,700		266,700		
Preferential Land:		0						0		
Transfer Information										
Seller: BELT WILLIAM R				Date: 08/05/2015			Price: \$215,000			
Type: ARMS LENGTH IMPROVED				Deed1: /36501/ 00274			Deed2:			
Seller: ZACK JOSEPH L,JR				Date: 11/05/1997			Price: \$138,000			
Type: ARMS LENGTH IMPROVED				Deed1: /12477/ 00739			Deed2:			
Seller: TEMPLE LEROY C				Date: 05/25/1979			Price: \$50,000			
Type: ARMS LENGTH IMPROVED				Deed1: /06025/ 00685			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019				
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 06/09/2017										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application										
Date:										

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

ADDRESS 11117 BIRD RIVER GROVE RD OWNER(S) NAME(S) STACEY HAINES

SUBDIVISION NAME BIRD RIVER GROVE LOT # 35/36 BLOCK # _____ SECTION # B

PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1520200300 DEED REF. # 36501100274



PLAN DRAWN BY STACEY HAINES

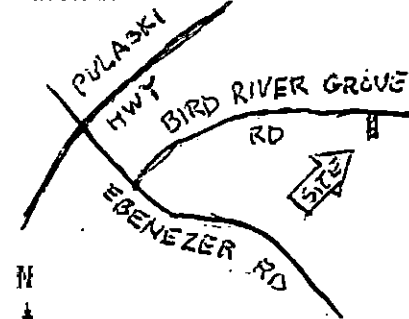
DATE 8/8/18 SCALE: 1 INCH = 40 FEET

BIRD RIVER GROVE RD (16' R/W)

#2019-0132-A

R.D.

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 0073A3

SITE ZONED RC 2

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.507

OR SQUARE FEET 22,100

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH ☒

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

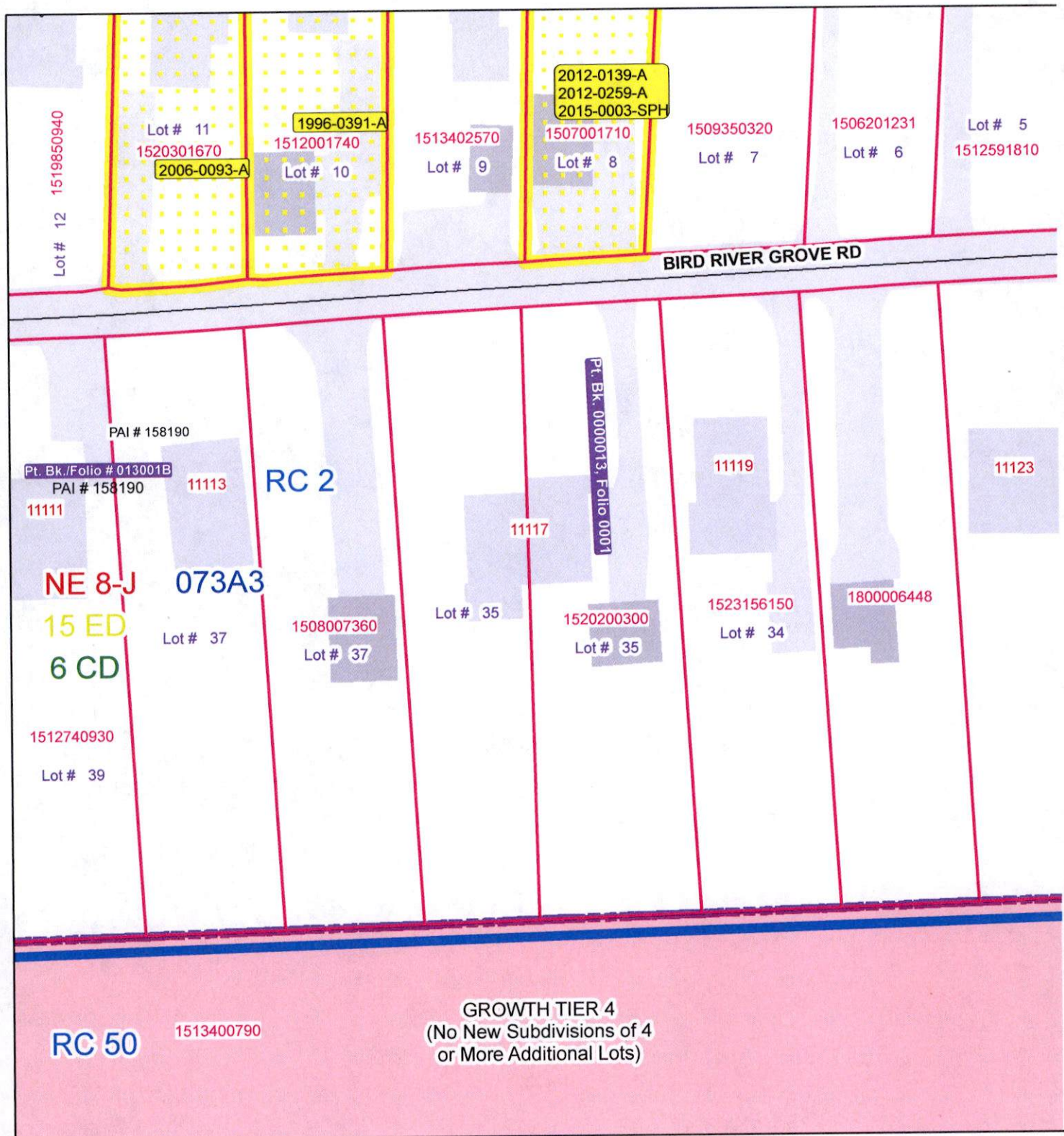
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC1814728

PET. Ex. 1

11117 Bird River Grove Road, Tax #15-20-200-300



Publication Date: 10/22/2018



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

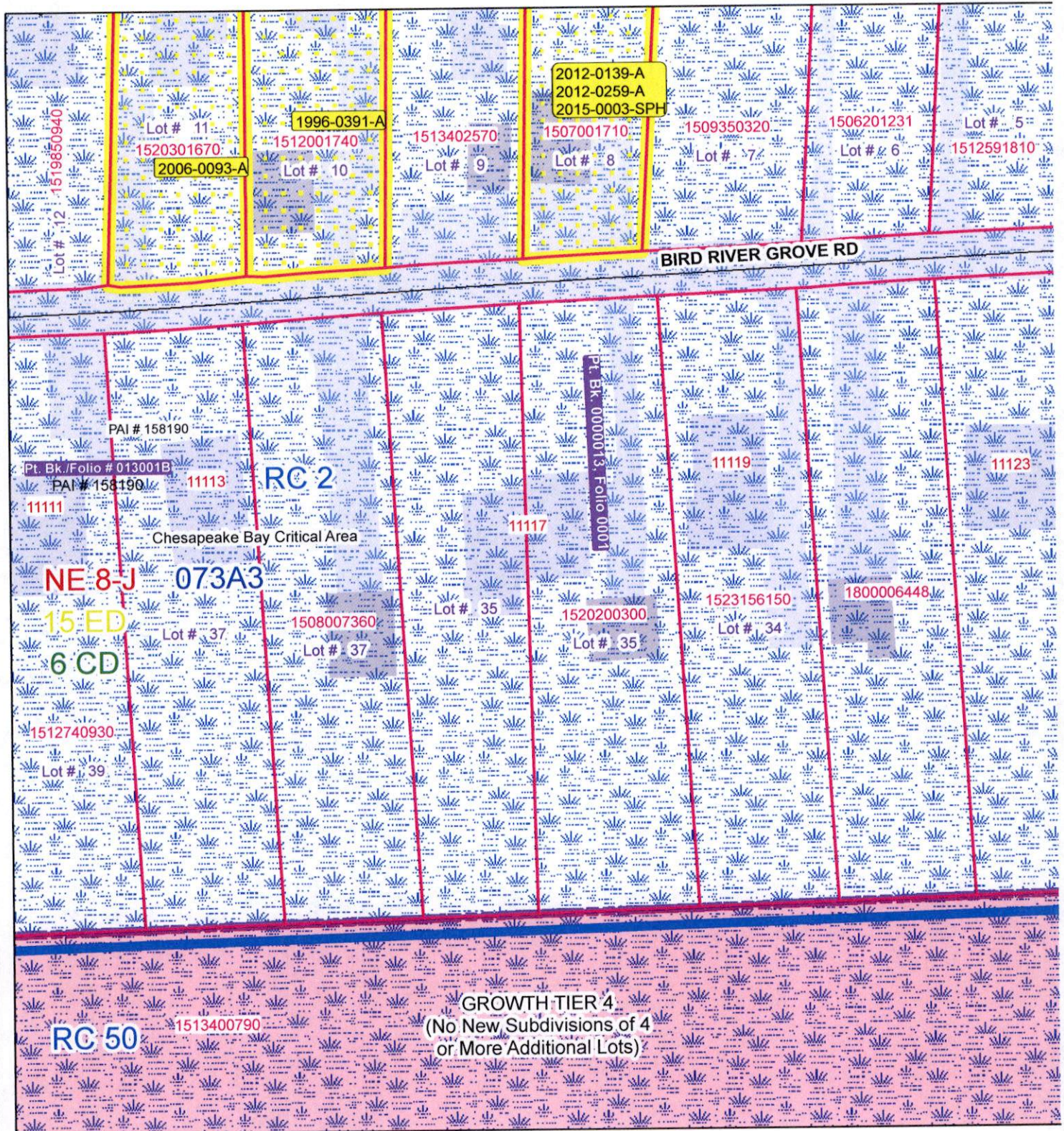


0 12.525 50 75 100 Feet

1 inch = 50 feet

Item #0132

Chesapeake Bay Critical Area



Publication Date: 10/22/2018



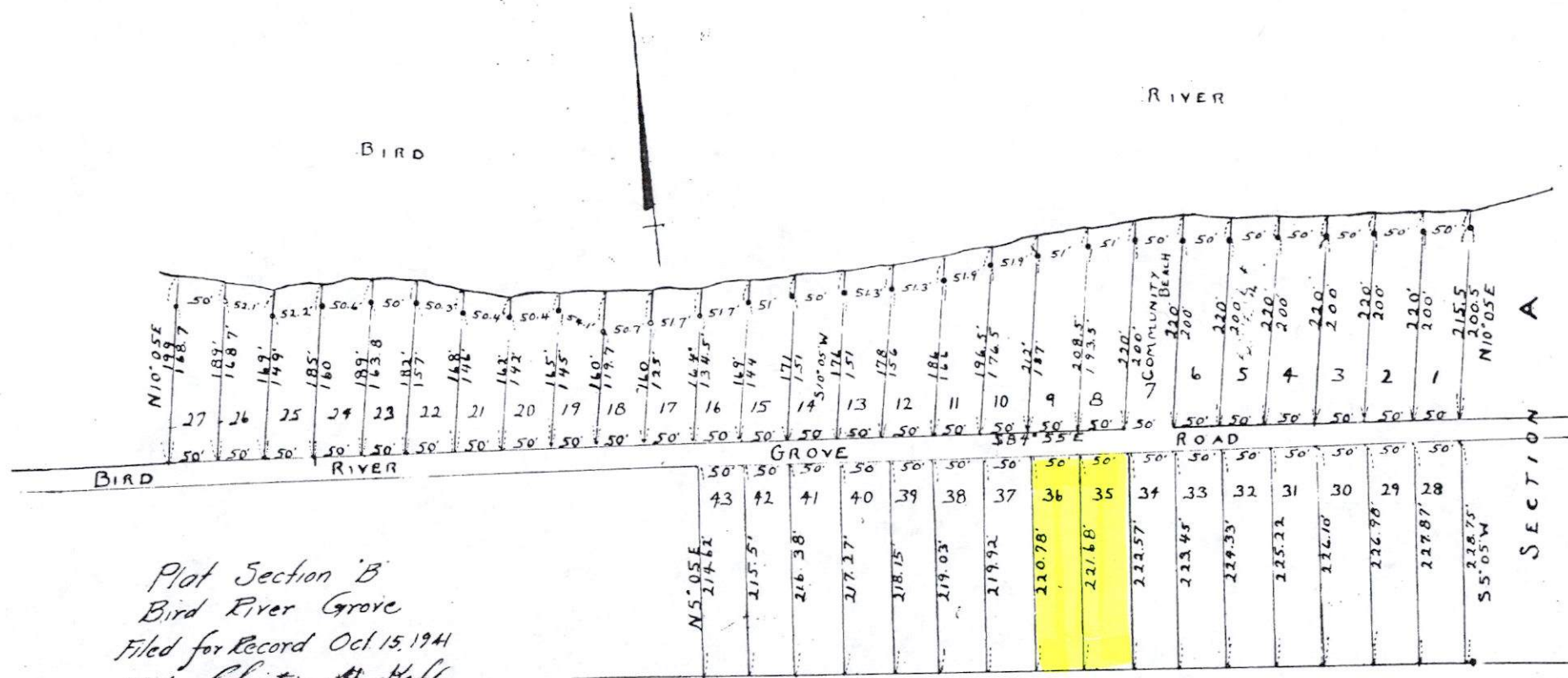
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet

Item #0132



Plot Section B
Bird River Grove
Filed for Record Oct. 15, 1941
Test: Christian H. Hahl
Clerk.

SCALE 1 IN = 100 FT. MAR 26, 1925.
E. V. COONAN & CO.
SURVEYORS & CIVIL ENGRS.
231 COURTLAND ST.
BALTIMORE MD.

AMENDED
PLAT OF
SECTION B
BIRD RIVER GROVE
BIRD RIVER DEVELOPMENT CORP
OWNERS

REVISED By
J. MILTON GREEN
Registered Engr & Surveyor
Towson, Maryland
OCTOBER 1941

Item #0132

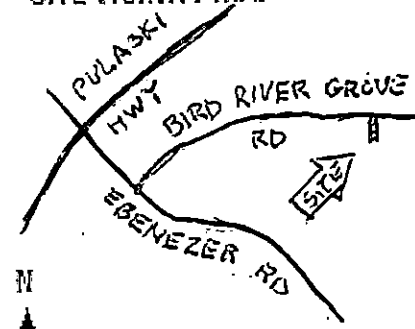
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 11117 BIRD RIVER GROVE RD OWNER(S) NAME(S) STACEY HAINES

SUBDIVISION NAME BIRD RIVER GROVE LOT # 35/36 BLOCK # _____ SECTION # B

PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1520200300 DEED REF. # 36501100274

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 0073A3

SITE ZONED RC 2

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.507

OR SQUARE FEET 22,100

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

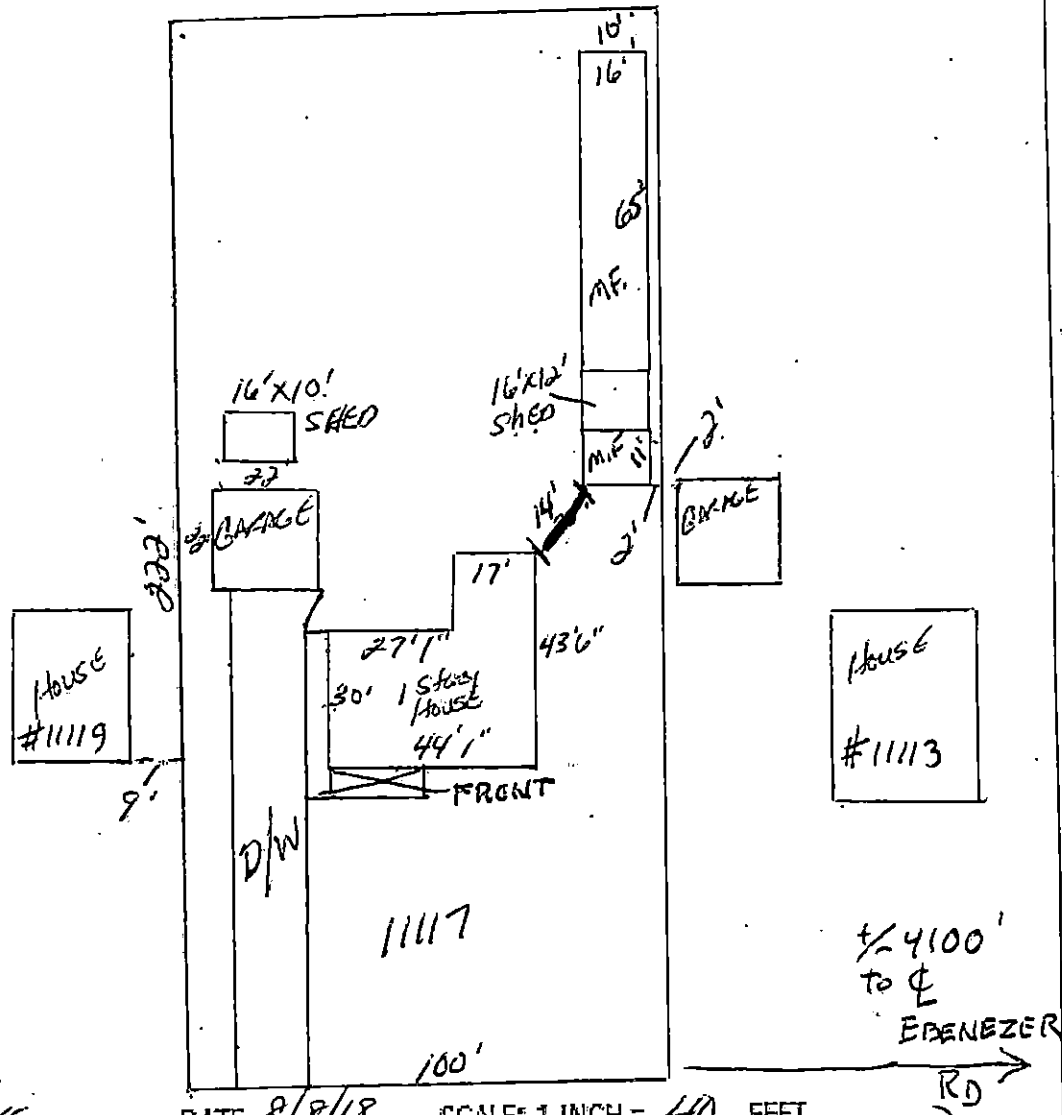
PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC 1814728



PLAN DRAWN BY STACEY HAINES

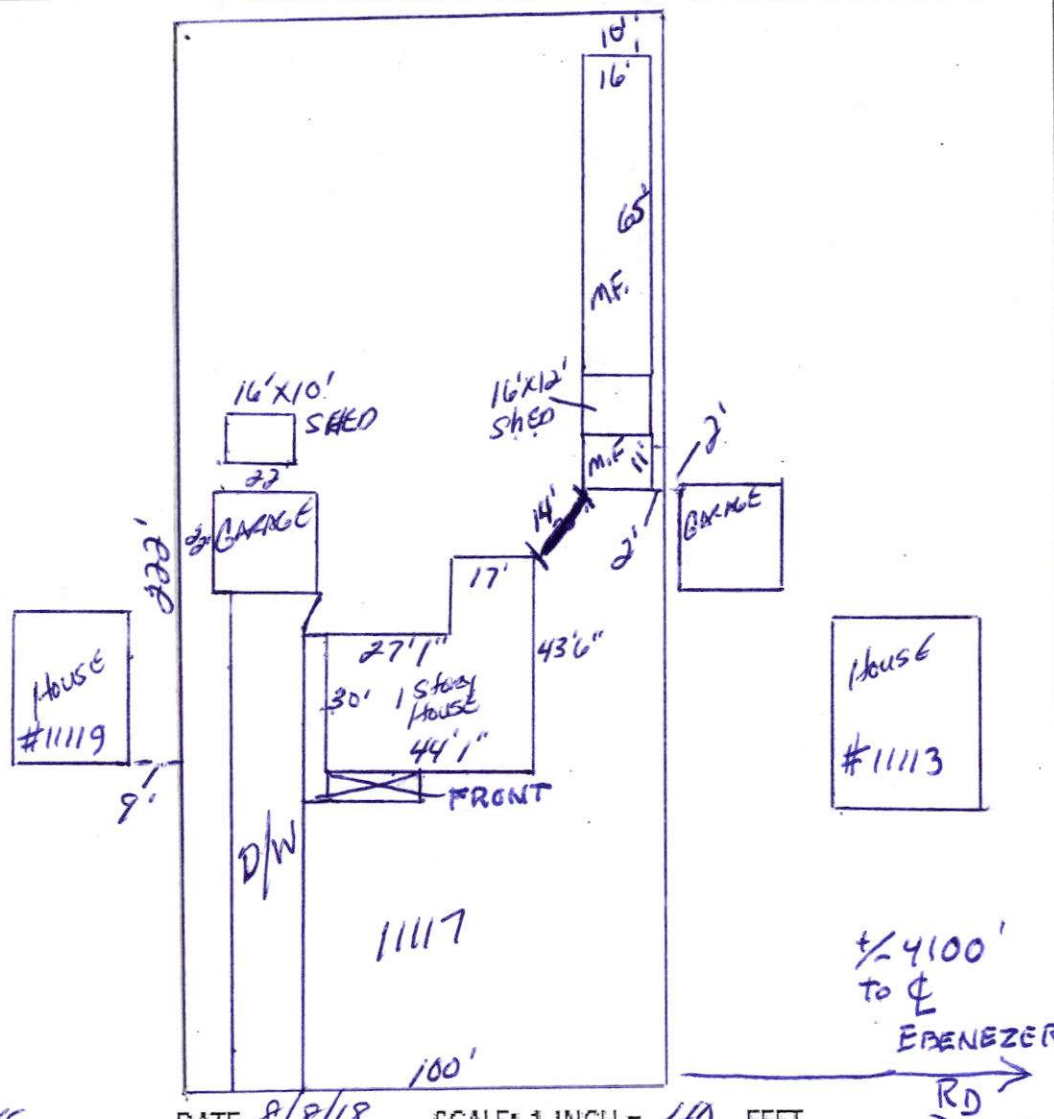
DATE 8/8/18 SCALE: 1 INCH = 40 FEET

BIRD RIVER GROVE RD (16' R/W)

#2019-0132-A

R.D.D.

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 11117 BIRD RIVER GROVE RD OWNER(S) NAME(S) STACEY HAINES
SUBDIVISION NAME BIRD RIVER GROVE LOT # 35/36 BLOCK # _____ SECTION # B
PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1520200300 DEED REF. # 36501100274



PLAN DRAWN BY STACEY HAINES

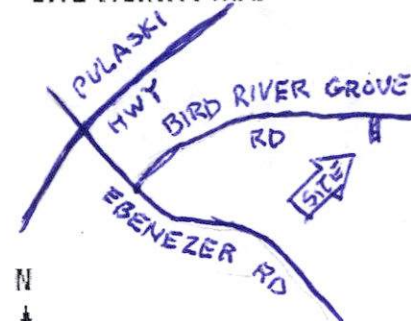
DATE 8/8/18 SCALE: 1 INCH = 40 FEET

BIRD RIVER GROVE RD (16' R/W)

#2019-0132-A

R.D.

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 0073A3

SITE ZONED RC2

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.507

OR SQUARE FEET 22,100

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLETION CASE INFO:

CC1814728

M E M O R A N D U M

DATE: February 5, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0132-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 4, 2019. 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

(11117 Bird River Grove Road)
15th Election District
6th Council District
Stacey Haines
Legal Owner
Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0132-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Stacey Haines, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from the Baltimore County Zoning Regulations ("BCZR") to permit keeping chickens on a property of 0.507 acres in lieu of the minimum required 1 acre pursuant to BCZR Section 100.6. A site plan was marked as Petitioner's Exhibit 1.

Stacey Haines 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. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Planning ("DOP"). Neither agency opposed the requests.

The site is approximately 0.507 acres in size and is zoned RC-2. The property is improved with a single-family dwelling constructed in 1967. Petitioner has for the last two years kept chickens on her property. An anonymous complaint was filed recently with the Bureau of Code Enforcement, and Petitioner was instructed to seek zoning relief.

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

ORDER RECEIVED FOR FILING

Date 1-4-19

By [Signature]

- (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 has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to keep chickens on her property. 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. This is demonstrated by the absence of County and/or community opposition. Petitioner also noted her property borders Richardson Farms, a large agricultural operation of long-standing in eastern Baltimore County. As such, I do not believe granting the petition will have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED, this 4th day of **January, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit keeping chickens on a property of 0.507 acres in lieu of the minimum required 1 acre, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with the ZAC comment submitted by DEPS, a copy of which is attached hereto and made a part hereof.
3. No more than twelve (12) chickens may be kept on the property. No roosters shall be kept on the property.

ORDER RECEIVED FOR FILING

Date 1-4-19

By ISW

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 1-4-19

By lw



CRCA

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 1117 Bird River Grove Rd. 21162 which is presently zoned RC 2

Deed References: 3601/00274 10 Digit Tax Account # 1520200300

Property Owner(s) Printed Name(s) Stacey L. Haines

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

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

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

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

3. ☒ a **Variance** from Section(s)

... Section 100.6 – to permit the stabling of poultry on a property of 0.507 acres 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)

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):

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

1117 Bird River Grove Rd. White Marsh, MD

21162 410-409-4837 Redbird3105@yahoo.com

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0132-A Filing Date 10/22/18

Do Not Schedule Dates: Reviewer RJ

ZONING PROPERTY DESCRIPTION FOR 11117 BIRD RIVER GROVE ROAD

Beginning at a point on the south side of Bird River Grove Road, which is 16 feet wide, at a distance of +/-4100 feet east of the centerline of the nearest improved intersecting street Ebenezer Road, which has a 40-foot right of way. Being Lots #35 and 36, Section B, in the subdivision of BIRD RIVER GROVE as recorded in Baltimore County Plat Book #13, Folio #1, containing 22,100 square feet. Located in the 15th Election District and 6th Councilmanic District.

Item #0132

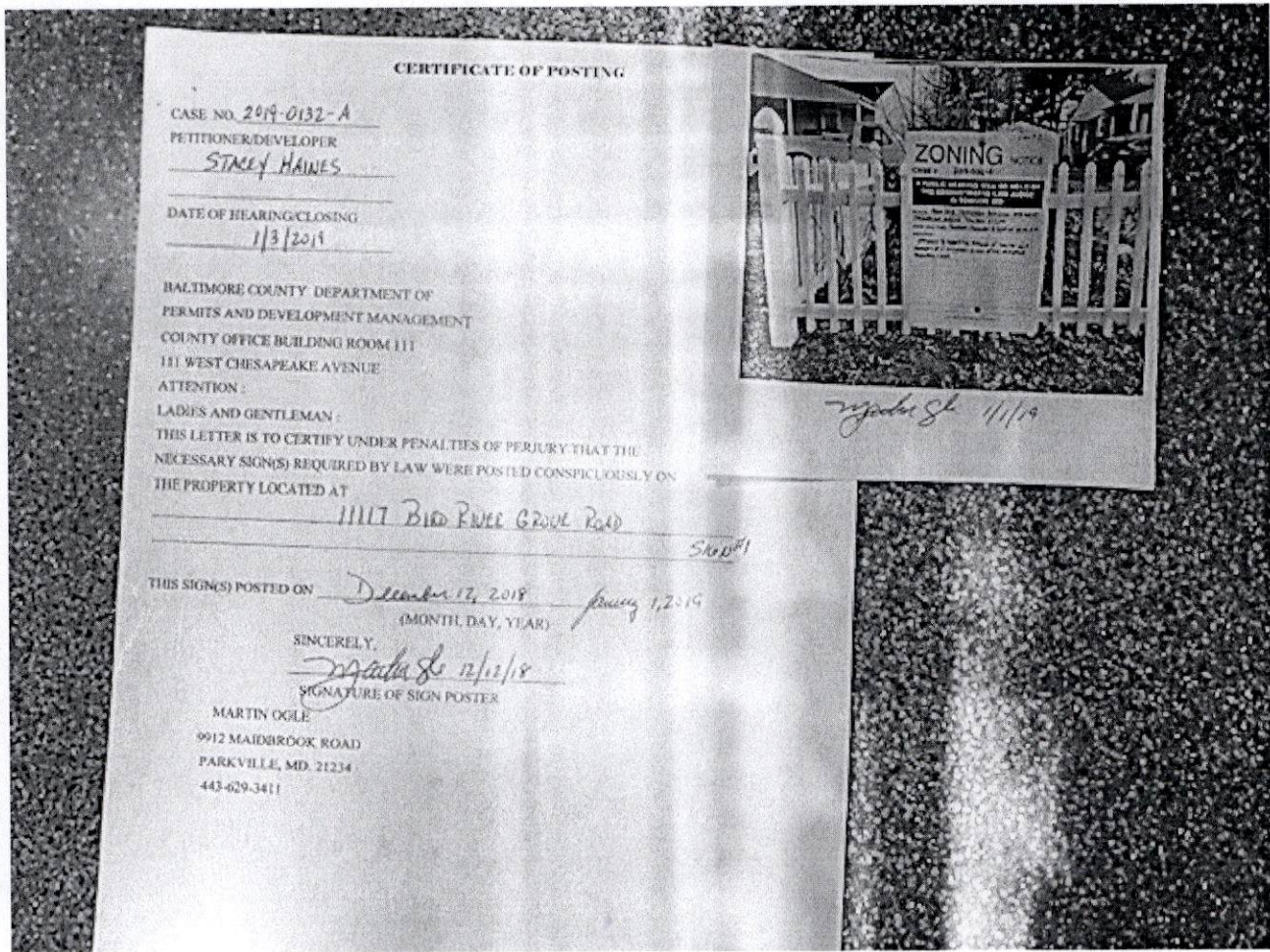
JRS 1-3-19
10Am

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Tuesday, January 01, 2019 8:55 PM
To: Administrative Hearings
Subject: 11117 Bird River Grove Rd.

RECEIVED
JAN 02 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

2nd set of certificates



CERTIFICATE OF POSTING

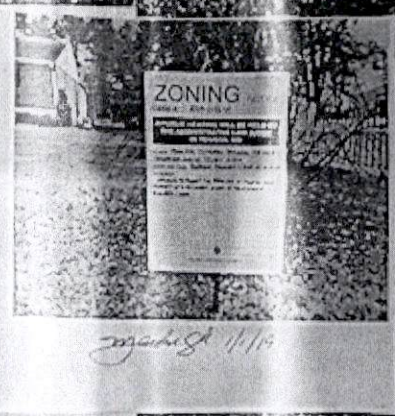
CASE NO. 2018-0132-A
PETITIONER/DEVELOPER
STACEY HAINES
DATE OF HEARING/CLOSING
1/3/2019

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
11117 BIRD RIVER GROVE ROAD

THIS SIGN(S) POSTED ON December 12, 2018 January 1, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Martin Ogle
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDENBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411



Sent from my iPhone

RECEIVED
JAN 02 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

CASE NO. 2019-0132-A

PETITIONER/DEVELOPER

STACEY HAINES

DATE OF HEARING/CLOSING

1/3/2019

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

11117 BIRD RIVER GROVE ROAD
SIGN#1

THIS SIGN(S) POSTED ON December 12, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/12/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

Sheet # 1

ZONING NOTICE

CASE # 2019-0132-A

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: 7024 205, JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME THURSDAY, JANUARY 3, 2019 AT 10:00 A.M.

REQUEST:

VARIANCE TO PERMIT THE STORAGE OF POULTRY ON A
PROPERTY OF 0.507 ACRES IN LIEU OF THE MINIMUM
REQUIRED 1 ACRE.

FOR A FULL LIST OF ZONING REGULATIONS, VISIT THE TOWSON TOWNSHIP WEBSITE AT WWW.TOWSONMD.GOV

FOR MORE INFORMATION, CONTACT THE TOWSON TOWNSHIP PLANNING DEPARTMENT AT (410) 326-1000

HANDICAPPED ACCESSIBLE

mya b m 8/ 12/12/18

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

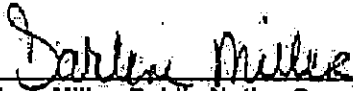
PUBLISHER'S AFFIDAVIT

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

12/14/2018

Order #: 11660082
Case #: 2019-0132-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0132-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0132-A

11117 Bird River Grove Road

S/s Bird River Grove Road, east of Ebenezer Road

16th Election District - 6th Councilmanic District

Legal Owners: Stacey Haines

Variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the minimum required 1 acre.

Hearing: Thursday, January 3, 2019 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.

d14

CERTIFICATE OF POSTING

CASE NO. 2019-0132-A

PETITIONER/DEVELOPER

STACEY HAINES

DATE OF HEARING/CLOSING

1/3/2019

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) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

11117 BIRD RIVER GROVE ROAD
SIGN #2

THIS SIGN(S) POSTED ON December 12, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/12/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

5164#2

ZONING NOTICE

CASE # 2019-0132-A

**A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: ROOM 205, JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, 21204

DATE AND TIME: THURSDAY, JANUARY 3, 2019 AT 10:00 AM

REQUEST:

VARIANCE TO PERMIT THE STABULUS OF POUSTRY ON A
PROPERTY OF 0.507 ACRES IN LIEU OF THE MINIMUM
REQUIRED 1 ACRE.

NOTHING AS HEREIN IS TO BE TAKEN AS AN ADVERTISEMENT OR A GUARANTEE OF ANY KIND.
FOR FURTHER INFORMATION, CONTACT THE TOWSON ZONING DEPARTMENT.

DO NOT BE MOVED FROM THIS LOCATION WITHOUT A WRITTEN ORDER FROM THE TOWSON ZONING DEPARTMENT.

HANDICAPPED ACCESSIBLE

mark sl 12/12/18



DONALD I. MOHLER III
County Executive

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

November 28, 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: 2019-0132-A

11117 Bird River Grove Road
S/s Bird River Grove Road, east of Ebenezer Road
15th Election District – 6th Councilmanic District
Legal Owners: Stacey Haines

Variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the minimum required 1 acre.

Hearing: Thursday, January 3, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Stacey Haines, 11117 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 FRIDAY, DECEMBER 14, 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.

TO: THE DAILY RECORD
Friday, December 14, 2018 - Issue

Please forward billing to:

Stacey Haines
11117 Bird River Grove Road
White Marsh, MD 21162

410-409-4837

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: 2019-0132-A

11117 Bird River Grove Road
S/s Bird River Grove Road, east of Ebenezer Road
15th Election District – 6th Councilmanic District
Legal Owners: Stacey Haines

Variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the minimum required 1 acre.

Hearing: Thursday, January 3, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
11117 Bird River Grove Road; S/S Bird River
Grove Road, 4100' E of c/line of Ebenezer Rd * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Stacey Haines * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-132-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

Carole S Demilio

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

RECEIVED

NOV 08 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Stacey Haines, 11117 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/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 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: 2019-0132-A
Property Address: 11117 Bird River Grove Rd
Property Description: South of Bird River Grove Rd, 1/2 4100
East of Ebenezer Rd
Legal Owners (Petitioners): Stacey Haines
Contract Purchaser/Lessee: Stacey Haines

PLEASE FORWARD ADVERTISING BILL TO:

Name: Stacey Haines
Company/Firm (if applicable): _____
Address: 11117 Bird River Grove Rd.
White Marsh, MD 21162
Telephone Number: 410-409-4837

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

December 27, 2018

Stacey Haines
11117 Bird River Grove Road
White Marsh, MD 21162

RE: Case Number: 2019-0132-A, Address: 11117 Bird River Grove Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 22, 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, appearing to read "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

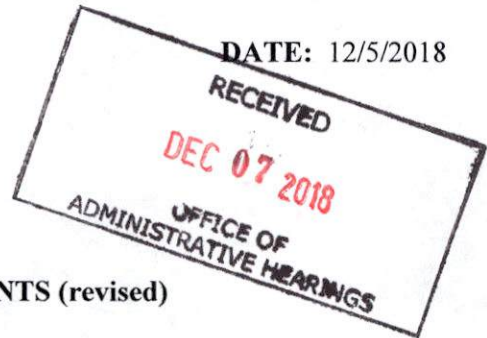
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS (revised)
Case Number: 19-132



INFORMATION:

Property Address: 11117 Bird River Grove Road
Petitioner: Stacey Haines
Zoning: RC 2
Requested Action: Variance

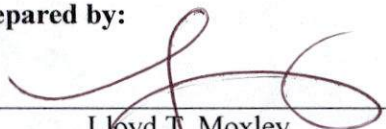
Subsequent to staff discussions with the petitioner clarifying the proposal the Department of Planning offers the following revised recommendation regarding the petition for variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the maximum required 1 acre.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Petitioners indicate not more than six chickens are kept. The maximum number of chickens on site at any one time shall be limited at six. No poultry shall be male.
- Petitioners must demonstrate to the satisfaction of the Administrative Law Judge that violation case # CC1814728 has been successfully addressed and any debris visible from the public domain removed.

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

Prepared by:

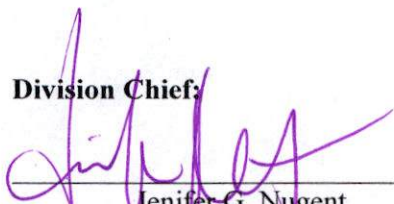


Lloyd T. Moxley

AVA/JGN/LTM/

c: Krystle Patchak
Stacey Haines
Office of the Administrative Hearings
People's Counsel for Baltimore County

Division Chief:



Jennifer G. Nugent

INVESTIGATIVE
POLICE

RECEIVED

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-132



INFORMATION:

Property Address: 11117 Bird River Grove Road
Petitioner: Stacey Haines
Zoning: RC 2
Requested Action: Variance

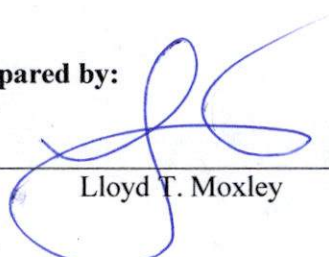
The Department of Planning has reviewed the petition for variance to permit the stabling of poultry on a property of 0.507 acres in lieu of the maximum required 1 acre.

A site visit was conducted on November 7, 2018. The property is the subject of code enforcement violation case # CC1814728.

The Department of Planning objects to granting the petitioned zoning relief. The particular dimensions and insufficient size of the subject site cannot provide adequate separation or buffers and precludes it from successfully integrating the livestock use into the neighborhood.

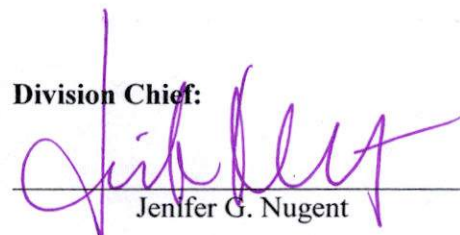
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Krystle Patchak
Stacey Haines
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: December 6, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0132-A
Address 11117 Bird River Grove Road
(Haines Property)

Zoning Advisory Committee Meeting of November 12, 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 stable chickens on a lot smaller than permitted. A new 1408 square foot structure is proposed. The lot is not waterfront. No lot coverage or afforestation information was provided. If all LDA requirements, including lot coverage limits and afforestation can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

No lot coverage or afforestation information was provided. If lot coverage and afforestation requirements can be met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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;

All Critical Area lot coverage and afforestation requirements must be met to determine that the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

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: December 6, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0132-A
Address 11117 Bird River Grove Road
(Haines Property)

Zoning Advisory Committee Meeting of **November 12, 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 stable chickens on a lot smaller than permitted. A new 1408 square foot structure is proposed. The lot is not waterfront. No lot coverage or afforestation information was provided. If all LDA requirements, including lot coverage limits and afforestation can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

No lot coverage or afforestation information was provided. If lot coverage and afforestation requirements can be met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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;

All Critical Area lot coverage and afforestation requirements must be met to determine that the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

ORDER RECEIVED FOR FILING

Date 1-4-19

By [Signature]

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: December 6, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0132-A
Address 11117 Bird River Grove Road
(Haines Property)

Zoning Advisory Committee Meeting of November 12, 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 stable chickens on a lot smaller than permitted. A new 1408 square foot structure is proposed. The lot is not waterfront. No lot coverage or afforestation information was provided. If all LDA requirements, including lot coverage limits and afforestation can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

No lot coverage or afforestation information was provided. If lot coverage and afforestation requirements can be met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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;

All Critical Area lot coverage and afforestation requirements must be met to determine that the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: November 26, 2018

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2018
Item No. 2019-0129-A, 0130-A, 0131-A, 0132-A, 0133-SPHA, 0134-A,
0135-A, 0136-A, 0137-A, 0096-A, 0139-A, 0140-A, 0144-SPHA and 0149-A

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

*

*

*

*

*

VKD: cen
cc: file

Date: 11/7/18

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

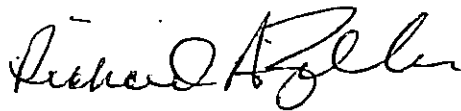
Dear Ms. Lewis:

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. *2019-0132-A*

*Variance
Stacey Haines
1117 Bird River Cove 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

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

11/26

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

No Comment

12/6

DEPS
(if not received, date e-mail sent _____)

Comment

12/7

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

Comment

11/7

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

No Obj

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/14/18

SIGN POSTING (1st)

Date:

12/12/18

by Cagle

SIGN POSTING (2nd)

Date:

11/1/19

by Cagle

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

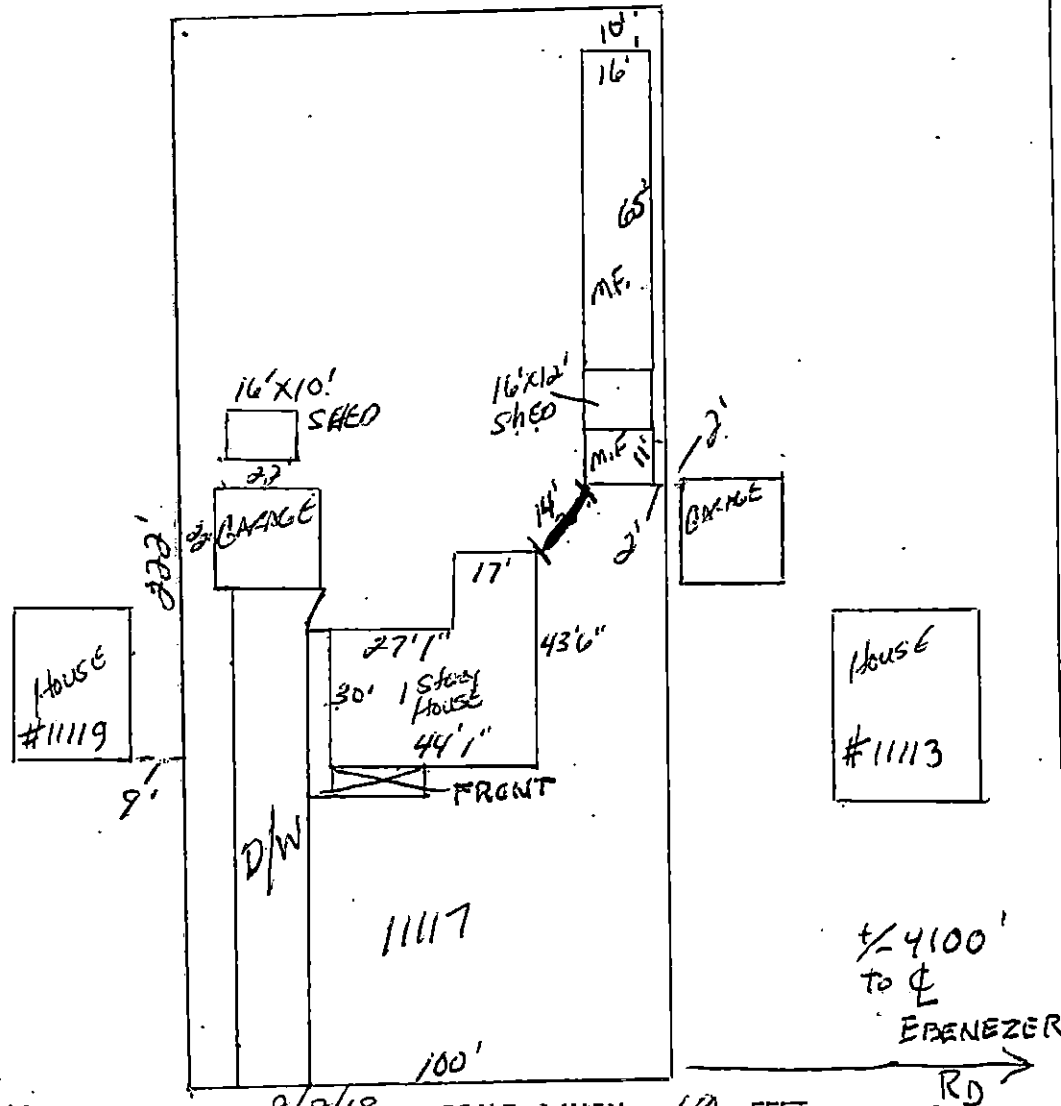
View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:						
Exempt Class:			NONE						
Account Identifier:			District - 15 Account Number - 1520200300						
Owner Information									
Owner Name:		HAINES STACEY LYNN				Use:		RESIDENTIAL	
Mailing Address:		11117 BIRD RIVER GROVE RD WHITE MARSH MD 21162-1805				Principal Residence:		YES	
						Deed Reference:		/36501/ 00274	
Location & Structure Information									
Premises Address:		11117 BIRD RIVER GROVE RD WHITE MARSH 21162-1805				Legal Description:		LT 35,36 11117 BIRD RIVER GR RD BIRD RIVER GROVE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0073	0020	0325		0000	B		35	2018	Plat Ref: 0013/ 0001
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1967		1,528 SF				22,100 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1	YES	STANDARD UNIT	BRICK	1 full	1 Detached				
Value Information									
		Base Value		Value		Phase-In Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2018		07/01/2019	
Land:		144,500		144,500					
Improvements		144,600		122,200					
Total:		289,100		266,700		266,700		266,700	
Preferential Land:		0						0	
Transfer Information									
Seller: BELT WILLIAM R				Date: 08/05/2015			Price: \$215,000		
Type: ARMS LENGTH IMPROVED				Deed1: /36501/ 00274			Deed2:		
Seller: ZACK JOSEPH L, JR				Date: 11/05/1997			Price: \$138,000		
Type: ARMS LENGTH IMPROVED				Deed1: /12477/ 00739			Deed2:		
Seller: TEMPLE LEROY C				Date: 05/25/1979			Price: \$50,000		
Type: ARMS LENGTH IMPROVED				Deed1: /06025/ 00685			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019			
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 06/09/2017									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application									
Date:									

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

ADDRESS 11117 BIRD RIVER GROVE RD OWNER(S) NAME(S) STACEY HAINES

SUBDIVISION NAME BIRD RIVER GROVE LOT # 35/36 BLOCK # _____ SECTION # B

PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1520200300 DEED REF. # 36501100274



PLAN DRAWN BY STACEY HAINES

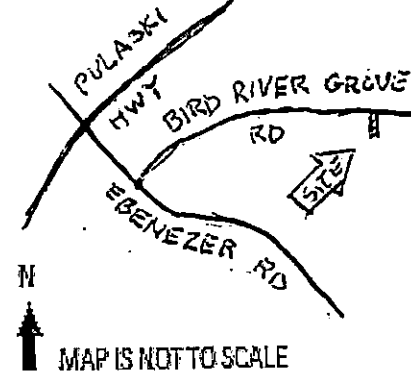
DATE 8/8/18 SCALE: 1 INCH = 40 FEET

BIRD RIVER GROVE RD (16' R/W)

#2019-0132-A

RD

SITE VICINITY MAP



ZONING MAP # 0073A3

SITE ZONED RC 2

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.507

OR SQUARE FEET 22,100

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

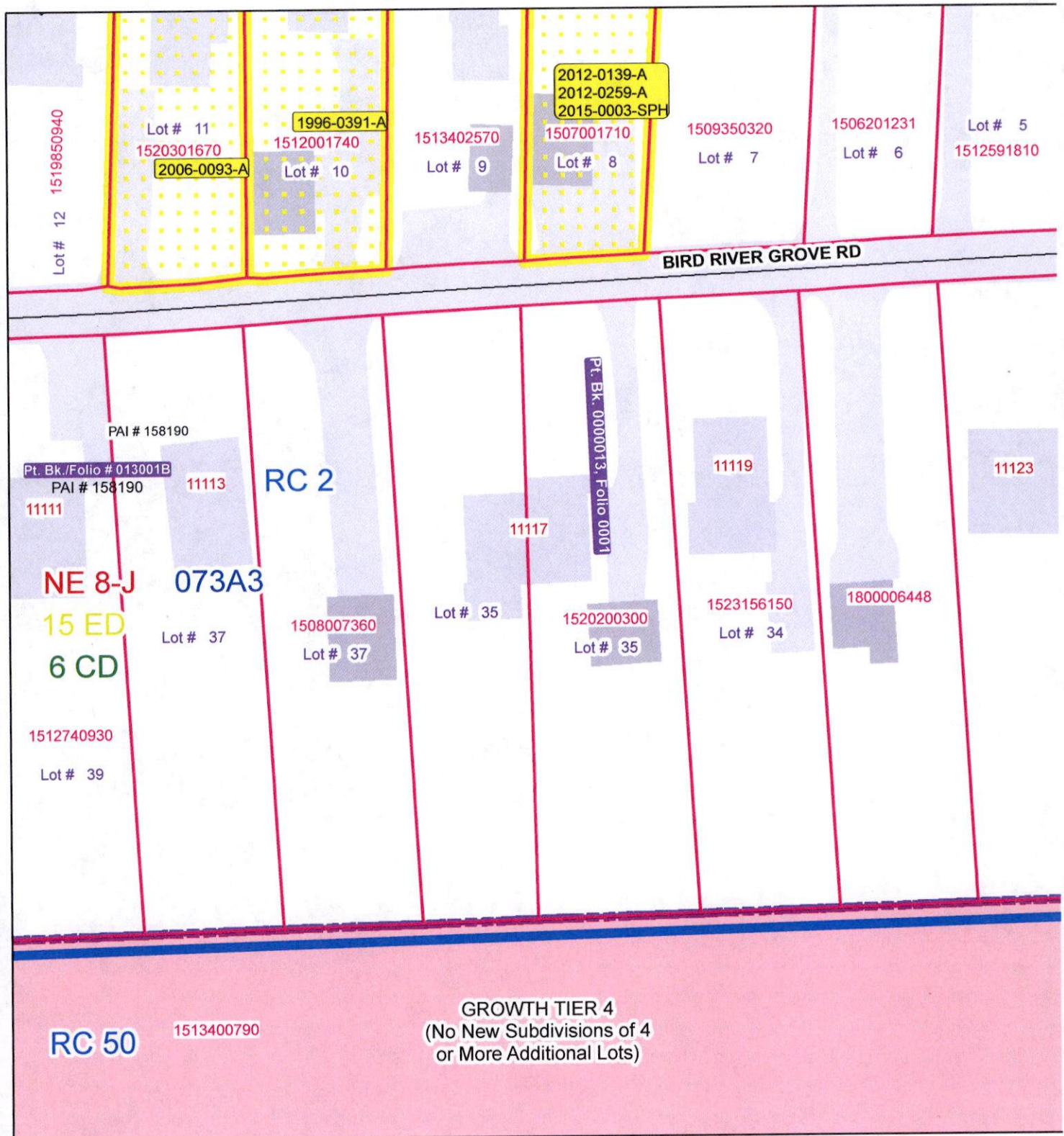
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC 1814728

PET. Ex. 1

11117 Bird River Grove Road, Tax #15-20-200-300



Publication Date: 10/22/2018



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

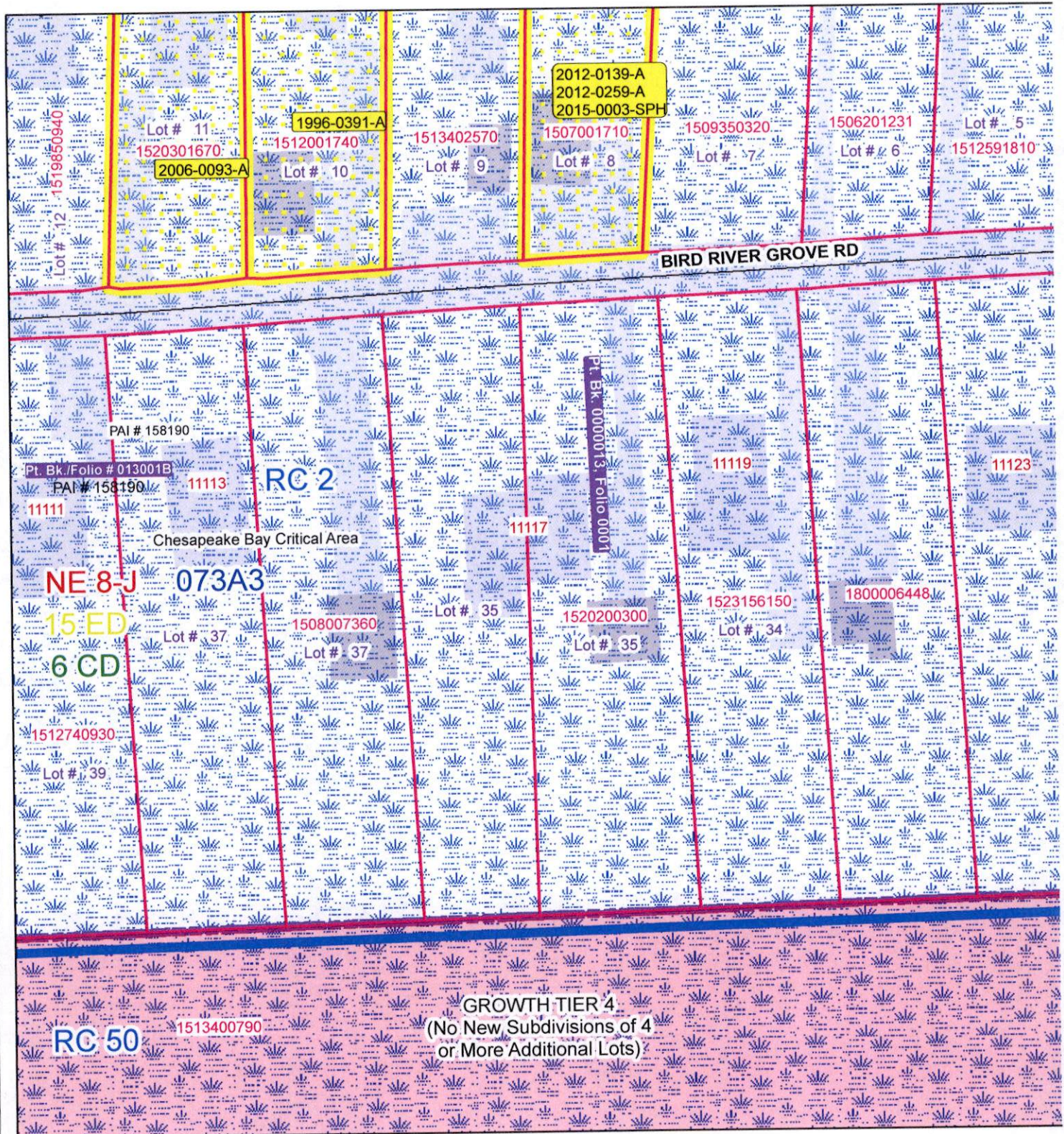


0 12.525 50 75 100 Feet

1 inch = 50 feet

Item #0132

Chesapeake Bay Critical Area



Publication Date: 10/22/2018



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

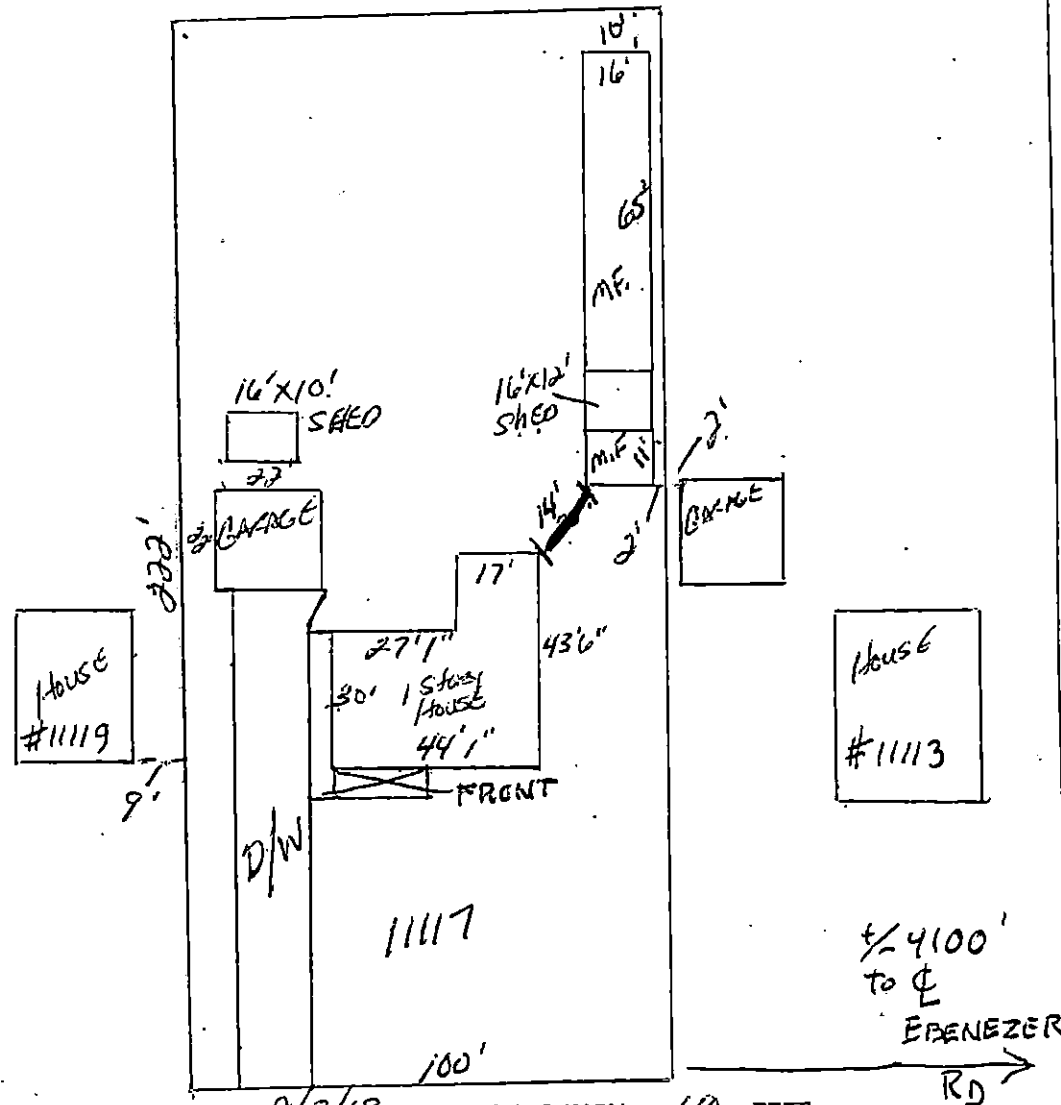


0 12.525 50 75 100 Feet

1 inch = 50 feet

Item #0132

PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1520200300 DEED REF. # 36501100274



PLAN DRAWN BY STACEY HAINES

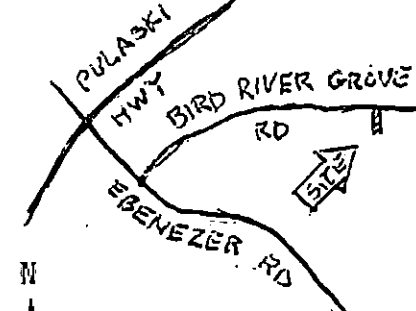
DATE 8/8/18 SCALE: 1 INCH = 40 FEET

BIRD RIVER GROVE RD (16' R/W)

2019-0132-A

R.D.D.

SITE VICINITY MAP



四



MAP IS NOT TO SCALE

ZONING MAP# 0073A3

SITE ZONED RCZ

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.507

OR SQUARE FEET 22,100

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE

SEWER IS:

PUBLIC X PRIVATE

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:
AA 161173 E

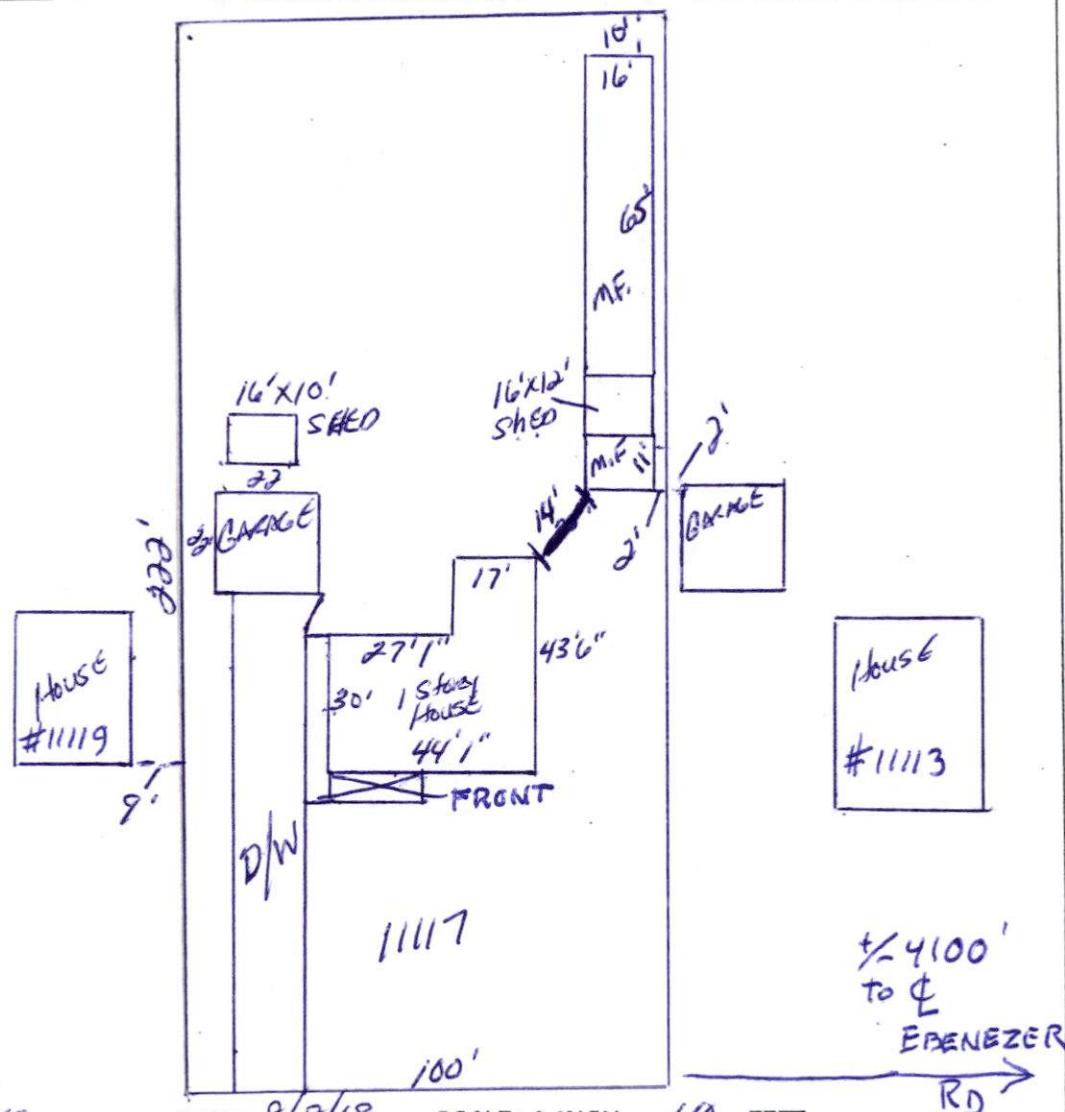
CC 1814728

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

ADDRESS 11117 BIRD RIVER GROVE RD OWNER(S) NAME(S) STACEY HAINES

SUBDIVISION NAME BIRD RIVER GROVE LOT # 35/36 BLOCK # _____ SECTION # B

PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1520200300 DEED REF. # 36501100274



PLAN DRAWN BY STACEY HAINES

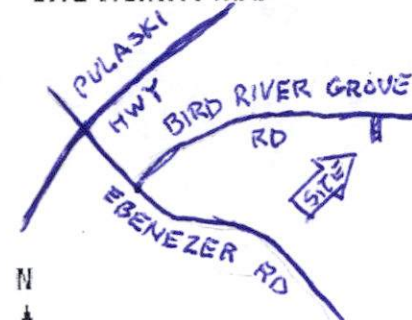
DATE 8/8/18 SCALE: 1 INCH = 40 FEET

BIRD RIVER GROVE RD (16' R/W)

#2019-0132-A

R.D.

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP # 0073A3

SITE ZONED RC2

ELECTION DISTRICT 15th

COUNCIL DISTRICT 6th

LOT AREA ACREAGE 0.507

OR SQUARE FEET 22,100

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC1814728