

M E M O R A N D U M

DATE: March 19, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0510-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on March 18, 2021. 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

/dlw

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(17 Cliffholme Road)	*	OFFICE OF
3 rd Election District		
2 nd Council District	*	ADMINISTRATIVE HEARINGS
James C. Beattie, Jr.		
Legal Owner	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2019-0510-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of James C. Beattie, Jr., legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling. In addition, a Petition for Variance was filed pursuant to BCZR §§ 400.1 and 400.3: (1) to permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard; and (2) to permit the height of an accessory structure (barn) of 25 ft. in lieu of the required 15 ft. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

James C. Beattie, Jr. and Bruce Doak, surveyor appeared in support of the requests. Two adjacent property owners attended the hearing in opposition to the requested relief and were represented by Michael McCann, Esquire. A letter of opposition was also received from the Valleys Planning Council, although no one from that organization attended the hearing. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). That agency did not oppose the request, subject to certain conditions.

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Date

By

2/16/21
[Signature]

This parcel is zoned RC 2. It is just over 5 acres. The petitioner testified that he began construction of this 80' x 36' barn on the property without a building permit because his wife was told by Wally Lippincott of the DOP that a permit was not needed for an agricultural building. After substantial construction was completed a complaint was filed with the Code Enforcement office and a citation was issued (Protestant's Exhibit 1). The citation is for failure to obtain a building permit for what is purportedly a residential accessory structure. Petitioner was therefore advised he would need to file for the relief described above.

Interior and exterior photos of the structure were admitted, collectively, as Petitioner's Exhibit 2. The photos depict a large, attractive barn style structure. The interior contains several horse stalls as well as open area and storage space. The petitioner testified that if and when the barn is completed it will house up to four horses, and may also house goats that will be raised for their wool, which is used in making cashmere. He explained that his mother owns Hunt Valley Cashmere, a retail fiber store. He testified that they envisioned starting with 16 goats but that they may ultimately have more. He explained that 64 goats is the most his mother has ever kept at one time. He further testified that his wife has stud horses that will be kept there. Finally, he testified that he and his wife intended to begin construction of their residence on the property in spring 2021. The site plan depicts the residence to the west of the barn structure.

Thomas Finnerty and Jeffrey Schlesinger testified in opposition. Their properties are immediately adjacent, and overlook this parcel from the ridge to the south. They are troubled by the visual impact of this large structure and also expressed concerns about the expected noise and odors associated with a barn. In addition they objected to recreational vehicles, such as four wheelers and/or dirt bikes being stored there. Their position is that this is not actually an agricultural building but is, rather, a residential accessory structure.

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Date

2/16/21

By

J. M. Mignone

At the end of the hearing, at the suggestion of the undersigned, the parties agreed that they would attempt to reach an amicable resolution of the issues and I therefore held the case *sub curia*. I was later informed by Mr. McCann and Christopher Mudd, Esquire (who had been retained by petitioner post-hearing) that a resolution could not be reached. Counsel therefore requested that another hearing be scheduled so that they could present legal argument. This hearing was held on January 28, 2021.

Mr. Mudd argued that Mrs. Beattie had been accurately advised that they did not need a building permit since, under Part 112.1.1 "Agricultural Buildings" are exempt from the building permit process. He further urged that the code citation should not have been issued, and that Mr. Beattie should not have even been required to file the instant petition seeking special hearing and variance relief because the height and location restrictions associated with residential accessory structures are not applicable to agricultural buildings. Mr. Mudd noted that the BCZR does not define what qualifies as an "agricultural building," but that BCZR § 101.1 defines "Farm" as "three acres or more of land, and any improvements thereon, used primarily for commercial agriculture, as defined in these regulations, *or for residential and associated agricultural uses.*" (emphasis added). He further noted that "commercial agriculture" is defined in the BCZR, but that "agriculture" is not; and therefore, pursuant to the preamble to BCZR § 101.1, reference must be made to Webster's Third New International Dictionary. There "agriculture" is broadly defined as "1 a: the science or art of cultivating the soil, harvesting crops, and raising livestock : HUSBANDRY, FARMING, b: the science or art of the production of plants or animals useful to man and to varying degrees the preparation of these products for man's use and their disposal (as by marketing)." Mr. Mudd argued that under this definition the structure in question should be

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Date

By

2/16/21
L. Mignion

acknowledged as an “agricultural building” under the county Building Code, and therefore exempt from the building permit process, and from the height and siting restrictions of the BCZR.

Mr. McCann countered by arguing that in order to qualify as an agricultural building that agriculture must be the primary use, and that here the petitioner’s primary use is residential. He argued that Mr. Beattie had only described future plans for any commercial agricultural uses – such as goat husbandry- but that currently, and certainly at the time of the first hearing, there were no such activities being conducted on the parcel. Mr. McCann noted that the BCZR contains only one definition for agriculture, and that definition applies only to *commercial* agriculture.

BCZR § 101.1 provides as follows:

AGRICULTURE, COMMERCIAL — The use of land, including ancillary structures and buildings, to cultivate plants or raise or keep animals for income, provided that the land also qualifies for farm or agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland, as amended. Commercial agriculture includes the production of field crops, dairying, pasturage agriculture, horticulture, floriculture, aquiculture, apiculture, viticulture, forestry, animal and poultry husbandry, the operation of an equestrian center, horse breeding and horse training and also includes ancillary activities such as processing, packing, storing, financing, managing, marketing or distributing, provided that any such activity shall be secondary to the principal agricultural operations.

Mr. McCann pointed out that the SDAT printout for this property (Protestant’s Exhibit 9) indicates that the principal use of the property is residential. He argued that it would be contrary to the spirit and intent of the BCZR to treat structures like this – which are actually accessory residential structures – as agricultural buildings exempt from the height and area restrictions. He further argued that the petitioner is not entitled to variance relief because the property is not sufficiently unique, and more importantly, the need for these variances is self-inflicted, and therefore variance relief is barred. On this point he cited *Ad + Soil, Inc. v. Cty. Comm’rs of Queen Anne’s County*, 307 Md. 307, 340 (1986).

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Date 2/16/21
By D. Mignion

This is a difficult case and both sides made cogent and forceful presentations. In my view the Beatties' intended use of this property is sufficiently agricultural to warrant a building permit exemption under Part 112.1.1 of the Building Code. It is therefore also not subject to the otherwise applicable height and area restrictions. It is true that the property is currently designated residential by the SDAT. As noted above, under BCZR § 101.1, commercial agricultural is defined, in pertinent part, as follows: "to cultivate plants or raise or keep animals for income, provided that the land also qualifies for farm or agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland." The unrebutted testimony in this case is that the Beatties intend to have stud horses and raise goats on the property for income. I understand that they were not yet doing so at the time they built the barn in question. However, that sets up a "Catch 22" situation because they need the barn in order to facilitate these agricultural activities. Further, the BCZR definition of commercial agriculture does not require that the property be currently assessed by the SDAT as agricultural, it merely states that it must *qualify* for that tax status. And Section 8-209 (g) (2) of the Tax Property article provides that a property under 20 acres can qualify as an active agricultural use if it generates a minimum of \$2,500.00 a year in gross income. Based on Mr. Beattie's testimony I think it is reasonable to believe that the goat husbandry will generate this paltry amount of gross income.

Further, as Mr. Mudd pointed out, just because commercial agriculture is the only kind of agriculture defined in the BCZR is not necessarily dispositive. And the Webster's definition is broad enough to include non-commercial agricultural activities. Moreover, as noted above, BCZR § 101.1 defines a farm as "three or more acres of land, and any improvements thereon, used primarily for commercial agriculture, as defined in these regulations, *or for residential and associated agricultural uses.*" This definition squarely fits the activities described by Mr. Beattie.

ORDER RECEIVED FOR FILING

Date 2/16/21

By D. Mignon

Therefore, the barn structure that they have constructed to support these activities is, in my view, an agricultural building.

Finally, I believe this case falls within the principles of equitable estoppel announced in *Permanent Fin. Corp. v. Montgomery County*, 308 Md. 239, 251 (1986) (where county zoning regulations were reasonably capable of differing interpretations the county was estopped from enforcing strict interpretation that would have required tearing building addition down after builder had relied on different interpretation conveyed to him by county official). Here, Mr. Beattie's testimony was that his wife had described their intended plans for the property to Wally Lippincott of the DOP and that based on her description he had advised her that this barn would qualify as an agricultural building that would not require a permit and would not be subject to height and area restrictions. Protestants did not summon Mr. Lippincott to the hearing to dispute that testimony. Therefore, under all the circumstances, I find that this is the rare case where estoppel can and should be invoked against the county. *See, contra, Marzullo v. Kahl*, 366 Md. 158 (2001) (building permit allowing construction of a structure to house exotic reptiles such as boa constrictors and pythons was clearly not a permitted agricultural use under the BCZR and therefore the permit was issued unlawfully and permittee could be required to disassemble structure).

In conclusion, I find that the structure in question is an agricultural building. It is therefore entitled to the building permit exemption under Part 112.1.1. It is also entitled to the height exception under BCZR § 300.1, and is *not* subject to the site location restrictions of BCZR § 400.1. I understand the Valleys Planning Council's concerns about large residential accessory buildings being constructed in the RC zones under the pretense that they are, in fact, agricultural buildings. That of course should not be permitted. However, every case must be judged on its own facts and I am satisfied that the barn structure in this case is indeed an agricultural building, even

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Date

By

though it will incidentally also serve to benefit the residence on the property, as is the case for many farms.

THEREFORE, IT IS ORDERED this 16th day of **February, 2021**, by this Administrative Law Judge, that the Petition for Special Hearing to permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling, be and is hereby DISMISSED, as MOOT.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard; and (2) to permit the height of an accessory structure (barn) of 25 ft. in lieu of the required 15 ft., be and is hereby DISMISSED as MOOT.

IT IS FURTHER ORDERED that the barn structure shall not be used for residential or commercial purposes other than agricultural commercial purposes; shall not have kitchen facilities; and shall not have separate utility meters.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm

ORDER RECEIVED FOR FILING
Date 2/16/21
By J. M. Mignon



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 17 CLIFFHOLME ROAD which is presently zoned RC2
Deed References: 39701/108 10 Digit Tax Account # 0313013975
Property Owner(s) Printed Name(s) JAMES C. BEATTIE JR. TRUST DATED MAY 1, 2017

(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

SEE ATTACHED PAGE

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED PAGE

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 THE 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):

* JAMES BEATTIE JR.
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
* 3307 SERENITY WAY OWINGS MILLS MD
Mailing Address _____ City _____ State _____
* 21117 / 410-949-6305 / JCBUNCE@GMAIL.COM
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING
Name - Type or Print _____
Signature _____
3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
Mailing Address _____ City _____ State _____
21053 / 410-919-9906 /
Zip Code _____ Telephone # _____ Email Address _____
BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2019-0510-SPHA Filing Date 11/07/19

Do Not Schedule Dates: _____ Reviewer RS

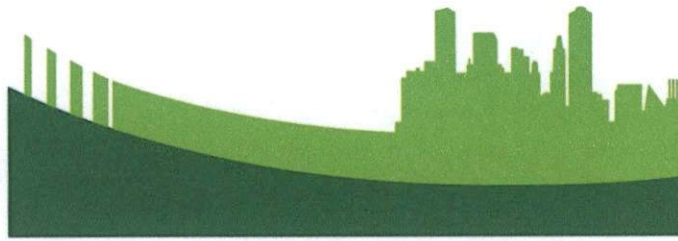
Petitions Requested
For Case # 2019-0510-SP44
17 Cliffholme Road

Special Hearing

- 1) To permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling.

Variances

- 1) To permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard per Section 400.1 BCZR
- 2) To permit the height of an accessory structure (barn) of 25 feet in lieu of the required 15 feet per Section 400.3 BCZR



Zoning Description

#17 Cliffholme Road
Third Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the north side of Cliffholme Road, 1870 feet, more or less, northeasterly from the center line of Greenspring Valley Road, thence running with and binding on the outlines of the subject property, the following courses and distances, viz 1) South 47 degrees 57 minutes East 30.15 feet, 2) South 12 degrees 51 minutes West 104.71 feet, 3) South 72 degrees 44 minutes East 90.75 feet, 4) North 86 degrees 42 minutes East 197.35 feet, 5) North 86 degrees 42 minutes East 230.75 feet, 6) North 07 degrees 18 minutes East 430.93 feet, 7) North 78 degrees 51 minutes West 305.55 feet, 8) North 78 degrees 51 minutes West 89.83 feet, 9) South 41 degrees 30 minutes West 306.52 feet, 10) South 43 degrees 30 minutes West 37.16 feet, 11) South 48 degrees 17 minutes West 45.50 feet and 12) South 59 degrees 52 minutes West 50.61 feet to the point of beginning.

Containing 5.054 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



Debra Wiley

From: Bruce Doak <doakfarm@gmail.com>
Sent: Monday, December 16, 2019 6:32 PM
To: Sherry Nuffer
Cc: Administrative Hearings
Subject: Case #2019-0510-SPHA posting cert
Attachments: Posting cert 12 16 19.pdf



CAUTION: This message from doakfarm@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please find enclosed the posting cert.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com



CERTIFICATE OF POSTING

November 27, 2019 (amended December 16, 2019)

Re:

Zoning Case No. 2019-0510-SPHA

Legal Owner: James Beattie Jr.

Hearing date: December 19, 2019

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 17 Cliffholme Road.

The signs were posted on November 27, 2019.

The signs were inspected again on December 16, 2019.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0510-SPHA

17 Cliffholme Road

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

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Thursday December 19, 2019 11:00 AM

REQUESTS: SPECIAL HEARING TO PERMIT AN ACCESSORY
STRUCTURE (BARN) TO EXIST ON THE SUBJECT PROPERTY
PRIOR TO THE FINAL CONSTRUCTION OF THE PRINCIPAL
SINGLE FAMILY DWELLING.

VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (BARN) TO
BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED
REAR YARD; TO PERMIT THE HEIGHT OF AN ACCESSORY
STRUCTURE (BARN) OF 25 FEET IN LIEU OF THE REQUIRED 15
FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CANCEL THE HEARING CALL 410-687-3291.
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.
THE HEARING IS WARRANTED ACCESSIBLE



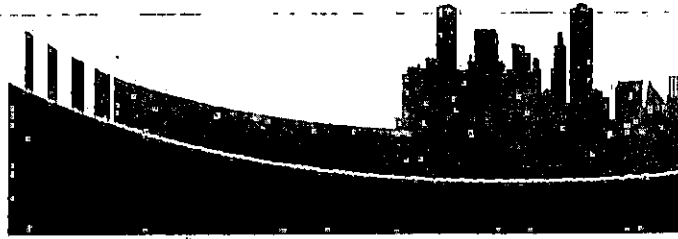
CASE NO. 2019-0510-SPHA
17 Cliffholme Road

BLACK PANTHER PARTY - 203 JEFFERSON BUILDING
402 M. CHICAGO, ILLINOIS 60607, U.S.A.

... TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMPANY...

1. The first of these is the fact that the majority of the population of the United States is now living in urban areas. This is a result of the process of urbanization, which has been going on since the beginning of the 20th century. The population of the United States has increased from about 100 million in 1900 to over 200 million in 1960. At the same time, the population of rural areas has decreased from about 100 million in 1900 to about 50 million in 1960. This has led to a concentration of the population in urban areas, which has had a number of important consequences. One of the most important is that it has led to a change in the way of life of the majority of the population. In rural areas, the population is more closely tied to the land, and the way of life is more traditional. In urban areas, the population is more mobile, and the way of life is more modern. This has led to a number of changes in the economy, in the culture, and in the social structure of the United States.

the 1990s, the number of people in the world who are under 15 years of age is expected to increase by 1.5 billion, from 1.1 billion in 1990 to 2.6 billion in 2015. The number of people aged 65 and over is expected to increase by 1.1 billion, from 350 million in 1990 to 1.4 billion in 2015. The number of people aged 15-64 is expected to increase by 1.5 billion, from 2.5 billion in 1990 to 4.0 billion in 2015. The number of people aged 65 and over is expected to increase by 1.1 billion, from 350 million in 1990 to 1.4 billion in 2015. The number of people aged 15-64 is expected to increase by 1.5 billion, from 2.5 billion in 1990 to 4.0 billion in 2015.



CERTIFICATE OF POSTING

November 27, 2019 (amended _____)

Re:

Zoning Case No. 2019-0510-SPHA

Legal Owner: James Beattie Jr.

Hearing date: December 19, 2019

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County Office Building
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111 West Chesapeake Avenue Towson, MD 21204

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The signs were posted on November 27, 2019.

The signs were inspected again on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0510-SPHA

17 Cliffholme Road

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LAW JUDGE IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Thursday December 19, 2019 11:00 AM

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PRIOR TO THE FINAL CONSTRUCTION OF THE PRINCIPAL
SINGLE FAMILY DWELLING.

VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (BARN) TO
BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED
REAR YARD; TO PERMIT THE HEIGHT OF AN ACCESSORY
STRUCTURE (BARN) OF 25 FEET IN LIEU OF THE REQUIRED 15
FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-507-3394.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.
THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2019-0510-SPHA

17 Cliffholme Road

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

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Thursday December 19, 2019 11:00 AM

**REQUESTS: SPECIAL HEARING TO PERMIT AN ACCESSORY
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PRIOR TO THE FINAL CONSTRUCTION OF THE PRINCIPAL
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**VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (BARN) TO
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FEET.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-267-3331.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.
THE HEARING IS HANDICAPPED ACCESSIBLE**

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

11/29/2019

Order #: 11817755
Case #: 2019-0510-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0510-SPHA



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: 2019-0510-SPHA

17 Cliffholme Road

N/side of Cliffholme Road, at the east terminus of Cliffholme Road

3rd Election District- 2nd Councilmanic District

Legal Owners: James Beattie, Jr.

Special Hearing to permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling. Variance to permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard; to permit the height of an accessory structure (barn) of 25 ft. in lieu of the 15 ft.

Hearing: Thursday, December 19, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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.

n29

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
17 Cliffholme Road; N/S of Cliffholme Road, * OF ADMINISTRATIVE
at E terminus of Cliffholme Road *
3rd Election & 2nd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): James C. Beattie, Jr. *
Petitioner(s) * BALTIMORE COUNTY
* 2019-510-SPHA

* * * * *

ENTRY OF APPEARANCE

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

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 14 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2019, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: THE DAILY RECORD
Friday, November 29, 2019 – Issue

Please forward billing to:
James Beattie, Jr.
3307 Serenity Way
Owings Mills, MD 21117

410-949-6305

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Legal Owners: James Beattie, Jr.

Special Hearing o permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling. Variance to permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard; to permit the height of an accessory structure (barn) of 25 ft. in lieu of the 15 ft.

Hearing: Thursday, December 19, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: #2019-0510-SPHA

Property Address: 17 CLIFFHOLME ROAD

Property Description: 5.054 AC

Legal Owners (Petitioners): JAMES BEATTIE JR

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES BEATTIE JR.

Company/Firm (if applicable): N/A

Address: 3307 SERENITY WAY

OWINGS MILLS MD 21117

Telephone Number: 410-949-6305

Revised 5/20/2014



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

December 10, 2019

Bruce E. Doak
3801 Baker Schoolhouse Road
Freeland MD 21053

RE: Case Number: 2019-0510-SPHA, 17 Cliffholm 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 November 07, 2019. 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.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
James Beattie Jr. 3307 Serenity Way Owings Mills MD 21117

12-19

RECEIVED

NOV 26 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 11/26/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-510

INFORMATION:

Property Address: 17 Cliffholme Avenue
Petitioner: James Beattie, Jr.
Zoning: RC 2
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing and variance to determine whether or not the administrative law judge should permit an accessory structure (barn) to exist on the subject property prior to the construction of the principle dwelling; accessory structure (barn) to be located in the side yard in lieu of the rear yard; and the height of the accessory structure (barn) to be 25 feet in lieu of 15 feet.

A site visit was conducted on November 19, 2019. The subject property was not accessed directly, but the barn was seen from the adjacent property to the south.

On November 20, 2019, Planning spoke with the petitioner's representative, Mr. Bruce Doak. The accessory structure is to be used for future horse stabling and equipment storage, once the principle dwelling is completed.

Since the structure was built without permits and it does not appear to be limited to agricultural uses, the property owner should be required to obtain permits through the appropriate permitting process. The permit should include any electrical, plumbing and gas fitting (existing and/or proposed) and should comply with all environmental requirements.

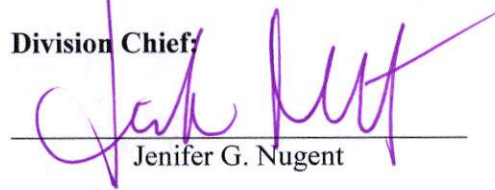
In the event that the property owner demonstrates that the accessory structure will only be used for agricultural uses and will not be used for recreational use nor the storage of non-agricultural equipment, then the above permitting requirement should not be enforced.

The Department of Planning has no objections to the requested relief conditioned upon the following:

1. The accessory structure shall not be used for commercial nor residential purposes.
2. The accessory structure shall not contain any separate utility meters.
3. If it is determined that the accessory structure is to be used for any non-agricultural related uses, the structure should be required to obtain the appropriate permits.

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

Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

c: Bill Skibinski
Bruce E. Doak, Bruce E. Doak Consulting
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 11/26/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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In the event that the property owner demonstrates that the accessory structure will only be used for agricultural uses and will not be used for recreational use nor the storage of non-agricultural equipment, then the above permitting requirement should not be enforced.

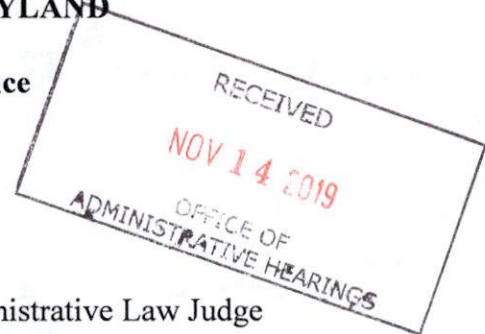
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2. The accessory structure shall not contain any separate utility meters.
3. If it is determined that the accessory structure is to be used for any non-agricultural related uses, the structure should be required to obtain the appropriate permits.

12-19-19

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: November 14, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0510-SPHA
Address 17 Cliffholme Road
(Beattie, Jr. Property)

Zoning Advisory Committee Meeting of **November 8, 2019**.

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

Reviewer: Steve Ford



STATE HIGHWAY
ADMINISTRATION

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

Date: 11/12/19

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. 2019-0510-SPHA

*Special Hearing Variance
James C. Beattie Jr.
17 Cliffholme 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



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

November 18, 2019

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: 2019-0510-SPHA

17 Cliffholme Road

N/side of Cliffholme Road, at the east terminus of Cliffholme Road

3rd Election District -2nd Councilmanic District

Legal Owners: James Beattie, Jr.

Special Hearing o permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling. Variance to permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard; to permit the height of an accessory structure (barn) of 25 ft. in lieu of the 15 ft.

Hearing: Thursday, December 19, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204.

A handwritten signature in dark ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: James Beattie, Jr., 3307 Serenity Way, Owings Mills 21117
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 29, 2019**
- (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.

Permit Processing Residential Permit & Development Report

Page 1 of 1

Property Information

Tax Account Number: 0313013975

Election District: 3

Owner Name(s): JAMES C BEATTIE JR TRUST

PDM # :

Address: 3307 SERENITY WAY

Zoning District(s): RC 2

OWINGS MILLS,MD 21117

Premise Address: 17 CLIFFHOLME RD

Elevation Range: 410ft - 442ft

Affected Overlays

Instructions: Begin review process with Zoning Review, Room 111.

Contact Agency

Potential Overlay Issues

Growth Tier 4:

New Homes
Internal Alts.
Add / Ext. Alts.
Access, Struct.
Open Decks
Piers/Pilings
Grading/SW
Tanks
Ret. Walls/Bulk
Razing
Elec. & Plumb
Climb Rise Arts

Agency
Acknowledgment

Initial & Date

Code Enforcement

County Office Building

Room 213

Phone: 410-887-8099

Open Code Enforcement Actions: Do NOT Issue Permit

Case#	Type	Action Status
CB1900494	Building	Correction Notice Issued

Rental Housing: 410-887-6060
Bldg. Inspections: 410-887-3953
Finance: 410-887-4100

PÄI-Public Services

County Office Building

Room 119

Phone: 410-887-3751

InFill Lot Review

Possible Replacement Dwelling. Permit # B956440

Appl. Date: 2/22/2019

[illegible]

OK To File

CASE 1

2019-0510-SPHA

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt: None			Special Tax Recapture: None						
Exempt Class: None									
Account Identifier:			District - 03 Account Number - 0313013975						
Owner Information									
Owner Name:		JAMES C BEATTIE JR TRUST			Use:		RESIDENTIAL		
					Principal Residence:		NO		
Mailing Address:		3307 SERENITY WAY			Deed Reference:		/39701/ 00108		
		OWINGS MILLS MD 21117-							
Location & Structure Information									
Premises Address:		17 CLIFFHOLME RD			Legal Description:		5.054 AC		
		OWINGS MILLS 21117-4320					NS CLIFFHOLM RD		
							1700FT E GREENSPRNG VA		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0068	0007	0175	3020014.04	0000				2020	Plat Ref:
Special Tax Areas: None						Town:		None	
						Ad Valorem:		None	
						Tax Class:		None	
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1936		2,162 SF				5.0540 AC		04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
1	NO	STANDARD UNIT	FRAME/	4	2 full/ 1 half	1 Detached			
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of		As of		
					01/01/2017		07/01/2019		
							07/01/2020		
Land:			98,000		98,000				
Improvements			162,100		162,100				
Total:			260,100		260,100		260,100		
Preferential Land:			0						
Transfer Information									
Seller: BEATTIE JAMES C, JR				Date: 12/04/2017			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /39701/ 00108			Deed2:		
Seller: GARRISON FOREST SCHOOL INCORPORATED				Date: 02/27/2013			Price: \$336,760		
Type: NON-ARMS LENGTH OTHER				Deed1: /33233/ 00005			Deed2:		
Seller: HOFFMAN KATHARINE MCLANE				Date: 05/22/2012			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /32097/ 00482			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2019			07/01/2020		
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00			0.00		
Tax Exempt: None			Special Tax Recapture: None						
Exempt Class: None									

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No CommentDEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

11/14

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

No Comment

FIRE DEPARTMENT

11/26

PLANNING
(if not received, date e-mail sent _____)No Objections
w/ Conditions

11/12/19

STATE HIGHWAY ADMINISTRATION

No Objections

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/29/19

SIGN POSTING (1st) Date: 11/27/19 by DoakSIGN POSTING (2nd) Date: 12/16/19 by DoakPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Christopher Mudd	cdmudd@venable.com	1-	New York Time	English	U.S.
JC Beattie, Jr.	jcbuncc@gmail.com	1-	New York Time	English	U.S.
Jeff Perlow	jperlow@baltimorecountymd.gov	1-	New York Time	English	U.S.
Michael McCann	michael@mccannlaw.net	1-	New York Time	English	U.S.
paul m mayhew	paulmcmayhew@gmail.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

CASE NAME BEATTIE
CASE NUMBER 2019-0510-SPHA
DATE 12/19/2019

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

Donna Mignon

From: Michael McCann <michael@mmccannlaw.net>
Sent: Tuesday, January 26, 2021 11:41 AM
To: Donna Mignon
Cc: Debra Wiley
Subject: 17 Cliffholme
Attachments: ProtsEx 10 -App for bulding permit.pdf; Prots Ex 9 - SDAT.pdf; ProtsEx. 8 - Site Plan.pdf; ProtsEx. 7- App for fence permit.pdf

CAUTION: This message from michael@mmccannlaw.net originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna/Deb: Attached are four exhibits for Thursday's hearing (7-10). I will drop off originals in the box shortly.

Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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12/3

Debra Wiley

From: Debra Wiley
Sent: Friday, July 10, 2020 3:20 PM
To: Michael McCann
Subject: Re: Cliffholme - December 19, 2019 hearing

*placed case
to Mike
McCann
7-13 @
10 AM*

You're welcome and thanks.

From: Michael McCann <michael@mmccannlaw.net>
Sent: Friday, July 10, 2020 3:18:51 PM
To: Debra Wiley
Subject: RE: Cliffholme - December 19, 2019 hearing

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

You too! Thanks.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Friday, July 10, 2020 3:18 PM
To: Michael McCann <michael@mmccannlaw.net>
Subject: Re: Cliffholme - December 19, 2019 hearing

Hi Mike,

Certainly, the next time we're in the office, I'll make a copy for you and let you know when it's done.

Have a great and safe weekend !

From: Michael McCann <michael@mmccannlaw.net>
Sent: Friday, July 10, 2020 3:17:05 PM

To: Debra Wiley

Subject: Cliffholme - December 19, 2019 hearing

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Deb. Can I get a cd of this hearing before Judge Mayhew? Thanks!

Michael

Michael R. McCann

Michael R. McCann, PA

118 W. Pennsylvania Avenue

Towson, Maryland 21204

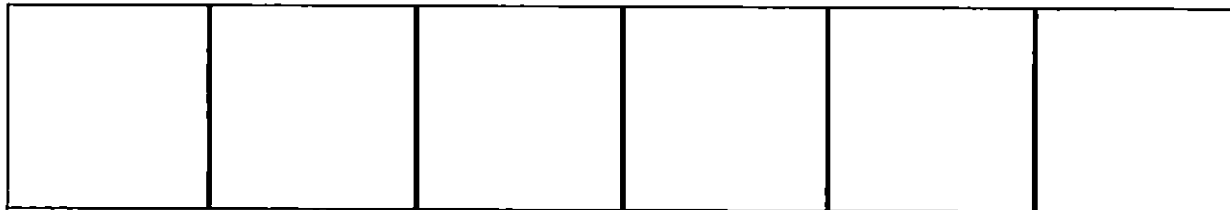
(p) 410-825-2150

(f) 410-825-2149

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CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE
(17 Cliffholme Road) *

3rd Election District
2nd Council District
James C. Beattie, Jr.
Legal Owner
Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0510-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of James C. Beattie, Jr., legal owner (“Petitioner”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to permit an accessory structure (barn) to exist on the subject property prior to the final construction of the principal single family dwelling. In addition, a Petition for Variance was filed pursuant to BCZR §§ 400.1 and 400.3: (1) to permit an accessory structure (barn) to be located in the side yard in lieu of the required rear yard; and (2) to permit the height of an accessory structure (barn) of 25 ft. in lieu of the required 15 ft. A site plan was marked and accepted into evidence as Petitioner’s Exhibit 1.

James C. Beattie, Jr. and Bruce Doak, surveyor appeared in support of the requests. 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 Planning (“DOP”). That agency did not oppose the request.

SPECIAL HEARING

Paul Mayhew

From: Paul Mayhew
Sent: Thursday, March 5, 2020 12:46 PM
To: 'Mudd, Christopher D.'; Michael McCann
Cc: Debra Wiley
Subject: RE: Case No. 2019-0510-SPHA

Counsel,

The evidentiary hearing in this case was on December 19, 2019 – almost three months ago. I agreed to hold the case sub curia in order to give the parties a chance to reach an amicable resolution. To date that has not happened and based on your recent emails it seems unlikely to happen. So I am sympathetic to the neighbors who are seeking a resolution, or at least a decision from me.

Therefore, I will set this in for a hearing as soon as possible to allow final legal argument from counsel. If either of you offers me good cause (in the form of a concise memo of grounds and authorities) to open the evidentiary record back up I will also consider doing that.

Chris, since you represent the petitioner I would ask that you confer with Michael about agreeable dates and then contact Deb Wiley with a list of them so that she can coordinate a date on my calendar.

Thank you,

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Wednesday, March 4, 2020 1:52 PM
To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Judge Mayhew --

I appreciate Mr. McCann's willingness to give me at least a little time to investigate. I had no intention to leave the record open for a prolonged period. I do disagree with Mr. McCann's assessment of the County's position thus far (and even if that were their position, I'd disagree with the position itself). But, that is certainly argument that can be saved for a hearing before Your Honor. Again, my investigation could result in withdrawal of the pending petition, or it could cause us to seek different relief. I would update Your Honor and Mr. McCann of my progress in the interim time period between now and the date any hearing were set (if that's what Your Honor decides to do). I will also just renew my request to hold the matter sub curia (without setting a hearing date), but perhaps set a date by which I must report back to Your Honor and Mr. McCann on our intentions going forward.

Thank you for your consideration,

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: Michael McCann <michael@mmccannlaw.net>
Sent: Wednesday, March 4, 2020 11:37 AM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: Case No. 2019-0510-SPHA

Judge Mayhew:

My clients oppose Chris's request that you hold this matter sub curia. While I understand concerns for judicial economy and certainly do not want to create work for your Honor, I believe that you should rule on the petitions that have been filed. The hearing is nearly concluded and, as things exist today, the "barn" violates the side yard and height requirements in the BCZR. Unless and until Mr. Beattie uses the property in a way that would allow him to avoid those requirements, then variances are needed. It is my understanding from the hearing that the two petitions were filed because the folks in Code Enforcement recognized this fact and suggested to Mr. Doak that he do so.

Chris requests an unspecified amount of time to explore whether the variances are even necessary or whether any other approval, relief, or determination is necessary. In my opinion, these are straight forward issues that do not require much investigation and should have been resolved by now. That said, we are not opposed to allowing Chris some time to reach the same conclusions we have, but there is no need to hold this matter sub curia for an indefinite amount of time.

I would ask that you schedule a hearing within the next 7-10 days, or the soonest your schedule will allow, for the purpose of addressing Chris's queries and then close the hearing. I believe this should be done at the hearing because otherwise we all will be left with simply accepting the conclusions reached by Chris. If the petitions are dropped without doing so, then we will no doubt be back before you Honor at some point. What I am suggesting, in my opinion, makes more sense in terms of judicial economy.

Thank you for your consideration and patience.

Michael

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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From: Paul Mayhew [<mailto:pmayhew@baltimorecountymd.gov>]
Sent: Tuesday, March 3, 2020 1:21 PM
To: Mudd, Christopher D. <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>
Subject: RE: Case No. 2019-0510-SPHA

Chris,
Subject to any objection from Michael I am happy to do so.

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, March 3, 2020 12:12 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>
Subject: RE: Case No. 2019-0510-SPHA

CAUTION: This message from CDMudd@venable.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.
--

Dear Judge Mayhew,

First of all, thank you for providing the opportunity for me to get caught up with the procedural history and the facts of this case. And thank you for the opportunity to work with Michael McCann to attempt to negotiate a settlement agreement between our clients. Unfortunately, we have not been able to reach an agreement.

In the course of my evaluation of the issues in this case, it occurs to me that the relief that has been requested may not even be necessary or appropriate. I have even discussed that notion briefly with Mr. McCann. That realization has further hampered settlement efforts.

At this point, I am requesting that Your Honor continue to hold this case sub curia, while I continue to explore with Baltimore County agency representatives whether: (1) the requested relief is actually necessary; (2) whether any other approval or relief may be necessary at all; and/or (3) whether there may be a need to appear before Your Honor for some other type of determination/relief request. I ask for this time as a matter of judicial economy. In the event that no relief is necessary, the

disposition could become a withdrawal/dismissal of the current petition. Alternatively, in the event that some other determination/relief is required to be requested of Your Honor, it would make most sense for that matter to be consolidated with the current matter, so all matters could be comprehensively considered together.

With that, I ask that you please agree to continue to hold the matter sub curia.

Thank you for your consideration.

Chris

Sent with BlackBerry Work
(www.blackberry.com)

From: Mudd, Christopher D. <CDMudd@Venable.com>
Date: Friday, Feb 28, 2020, 2:47 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>, Michael McCann <michael@mmccannlaw.net>
Subject: RE: Case No. 2019-0510-SPHA

Judge Mayhew – I just hung up the phone with Michael McCann. He and I had another discussion this morning, and I have not been able to catch-up with my client to download that discussion with them. Michael and I are both agreeable to checking back in with you again on Monday. We may end up requesting more time at that point, but, for now, we'll commit to checking-in on Monday again.

Thank you very much for your patience as we continue to wade through this.

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Sent: Monday, February 17, 2020 9:13 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>
Subject: Re: Case No. 2019-0510-SPHA

Gentlemen,
This is fine. Thanks for the update.

Sent using OWA for iPhone

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Thursday, February 13, 2020 1:54:14 PM

To: Michael McCann; Paul Mayhew
Subject: RE: Case No. 2019-0510-SPHA

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non.BCPL email system. Hover over any links before clicking and use caution opening attachments.

Judge Mayhew and Michael:

There is no objection from our side. Thank you,

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: Michael McCann <michael@mmccannlaw.net>
Sent: Thursday, February 13, 2020 1:47 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Cc: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: Case No. 2019-0510-SPHA

Judge Mayhew: As you know, Chris and I are working towards resolving this matter. Chris recently sent me revisions to a draft agreement. Unfortunately, one of my two clients had to leave the country, which I was unaware of. He is not returning until Feb 24th and asked me if we could obtain some additional time to get back to you. Once he is back, I will get with him immediately.

Assuming Chris is ok with this and his schedule will allow it, I see no reason why we could not let you know by the end of that week, February 28th, whether we are settled or will need to reconvene the hearing. I hope this is ok.

Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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From: Mudd, Christopher D. [<mailto:CDMudd@Venable.com>]
Sent: Friday, January 31, 2020 2:44 PM

To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>
Cc: Bruce Doak <doakfarm@gmail.com>
Subject: RE: Case No. 2019-0510-SPHA

Judge Mayhew and Michael:

Apologies for my delay in responding to this email. I was out this morning. I do not object to placing a deadline to formally check-in with Judge Mayhew. Maybe we can split the difference and have it be 3 weeks from today? I will nevertheless commit to providing a response to Michael and his clients within one week, so that we can keep discussions moving.

Will this work?

Thank you,

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Sent: Friday, January 31, 2020 9:52 AM
To: Michael McCann <michael@mmccannlaw.net>; Mudd, Christopher D. <CDMudd@Venable.com>
Cc: Bruce Doak <doakfarm@gmail.com>
Subject: Re: Case No. 2019-0510-SPHA

Counsel:

Thanks for the update. If Chris is Ok with 2 weeks that's great. If he and his client need 30 days I am amenable to that. Please advise.

Sent using OWA for iPhone

From: Michael McCann <michael@mmccannlaw.net>
Sent: Thursday, January 30, 2020 7:31:40 PM
To: Mudd, Christopher D.; Paul Mayhew
Cc: Bruce Doak
Subject: Re: Case No. 2019-0510-SPHA

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Judge Mayhew. I agree with Chris's assessment of where we stand and understand the need for him to get caught up.

I think it would be helpful if there was a deadline for the parties to get back before your Honor, not only for reasons personal to my clients. If you agree, and without knowing Chris's schedule, I would suggest two weeks.

Thank you.

Michael

Get Outlook for iOS

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Thursday, January 30, 2020 4:08:21 PM
To: pmayhew@baltimorecountymd.gov <pmayhew@baltimorecountymd.gov>
Cc: Michael McCann <michael@mmccannlaw.net>; Bruce Doak <doakfarm@gmail.com>
Subject: Case No. 2019-0510-SPHA

Judge Mayhew:

Mr. JC Beattie, the applicant in the above referenced case, has retained me to represent him in this matter. I have been in phone contact with Mr. McCann and informed him that I would be sending this email. I understand from my client, Mr. Doak, and Mr. McCann that Your Honor has essentially asked the parties to attempt to work together to come to a resolution. I will be working on behalf of my client toward that end, and I explained as much to Mr. McCann.

As you can imagine, I will need to "catch-up" a bit on the subject matter, and my client has received correspondence from Mr. McCann and his clients, requesting certain concessions. I will be working through that with my client to evaluate the proposal and his options under the law, and then will respond to Mr. McCann as we deem appropriate. I ask that Your Honor please continue to allow us time to conduct this evaluation and to engage in discussions with Mr. McCann and his clients. While I am reluctant to put any "deadline" on our collective efforts, I, for my part, will commit to working diligently with Mr. McCann, so that we can reach an appropriate resolution to the requested petitions.

I do not think that it goes too far to suggest, based on our conversation yesterday, that Mr. McCann joins me in this request to continue to "keep the record open," without any particular deadline, while we work with one another. But, Mr. McCann can certainly weigh-in if he disagrees. And, of course, we can keep Your Honor informed of our progress, or if any other issues arise.

Thank you for your time and consideration:

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | http://secure-web.cisco.com/1Ah8sl-uR7nSruk6SMgyKngP8yLi6op6oVWW2VBx37GXldyE-keL6ymAsbgzliQOQVZTUGxBbOKbzNm9AdRXucuerPICJk4V6LXNBsg4rrIfY0akcRN1VQ46Zdk7pG4Wfb0vXuCIQUaeiv1Br1OumzQ9jud04GTEQ_zlvmPdnrPBTBAVo0Wz6KdbSf4S1qlrqF5c69KbvZYU3UU--IBsGF5nH5cragGNmkrW-X6BNZMcrdwOih7JNX42HPIzhmsc1NXtPgoyFzhzizYy52MLaT-Ydu087mbEE7ytB207OVtr97WEfezIKNPchmvOOZutg9HSzP0cHVSsM2C9egYiz9hMrJY_5Cn7AMcq36hpbDfyzDSiND56J6NFTYwXlAlg6nAauBrgKeugsKV4xngExv7mRVAs7ISDARGqSEwMcbewn1pX-XBxoa6hKy12zRa_d/http%3A%2F%2Fwww.Venable.com

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transmission and delete the message without copying or disclosing it.

Paul Mayhew

From: Paul Mayhew
Sent: Tuesday, January 28, 2020 2:29 PM
To: 'Bruce Doak'
Subject: Case No. 2019-0510-SPHA

Mr. Doak:

This is in regards to your email dated January 13, which includes what appears to be a verbatim copy of an email your client addressed to me but had you send. As a preface to providing your client's email you state that "My client would like to submit the following pertaining to the open case. *This email was not provided to Mr. McCann.*" (emphasis supplied).

This appears to be a request for me to consider an *ex parte* communication unless you give me permission to share it with Mr. McCann. I of course cannot consider an *ex parte* communication in the middle of an open case. Please advise how you would like to proceed.

Thanks,

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

Paul Mayhew

From: Bruce Doak <doakfarm@gmail.com>
Sent: Monday, January 13, 2020 2:37 PM
To: Paul Mayhew
Subject: Case 2019-0510-SPHA

CAUTION: This message from doakfarm@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good afternoon Mr. Mayhew,

My client would like to submit the following pertaining to the open case. This email was not provided to Mr. McCann.

RE: 17 Cliffholme Rd.
Owings Mills MD 21117
Hearing date: December 19, 2019 and 11 AM
Record: CB 1900494
Case: 2019 – 0510 –SPHA

Dear Judge Mayhew,

You were the hearing judge assigned to the above referenced case. The hearing was to request a variance for my barn which was built without a building permit when the permit office denied us a permit saying that as an agriculturally assessed property we do not need a permit to build a barn. However after receiving the code enforcement correction notice we went back to the permit office to apply for a permit and we were told by Mr. Lippincott from the Baltimore County Department of Zoning that the best course of action would be to apply for a variance - which we did. I did not come to the hearing with counsel and was quite surprised to see two neighbors there along with their counsel, Michael McCann. I was with Bruce Doak who helped me set up the variance hearing and did much of the paperwork using his years of experience. When we left the hearing I was under the impression that we had until the end of today or possibly tomorrow to present an agreement between the parties to you in order to obtain a variance.

On December 22, Mr. Doak received the questions from Mr. McCann which we answered and sent along with a drawing:

1- Can they provide the fencing plan for the horse paddocks on the plans showing the house and barn. Will they be running water to the paddocks for the horses? Can they also designate where the manure pit will be placed and the type of construction around this? Since the daughter's pony is coming home from Garrison Forrest School, will they be building a ring of some sort for her to ride in and where will this be placed in the overall plan?

No plans are set in stone at this time, but my best vision after working the land for 1000+ hours is below. My daughter may decide she doesn't like riding and wants to play soccer next year for example in which case there would less than 4

horses there. Since I was not going to have the animals in place until living there, I have not decided or checked on the rules and regulations pertaining to placement of this structure. We lease a Pony for her to ride or she rides a GFS barn pony at this time. She does not currently ride the pony we own or the breeding horses. When we do have ponies on the property for her to ride the ring would go on the flat dry part of the land. I would run water and power to the paddocks.

2- Where will the goats be kept; in separate paddocks than the horses? How many goats do they envision adding to the base of 16? It would be good to see this on the plans as well. Will the goats be living in the barn other than for shearing?

Goats are smart and will stay close to their food source. They will graze the property and sleep in the barn. They leave a small amount of waste and it fertilizes the fields and is wonderful to have. Even when we had 65 there was no manure pile needed. I would not want more than 75 at any one time.

3- Where will the chicken coop be placed on the property? Given the number of fox and coyote in the area, I assume they will need a coop of some sort to protect the chickens.

We will have enough chickens for family eggs. I am not sure when I will add it to my property but I can see no bigger than 30x30 so the chickens have room to move around in a safe environment and their place to sleep at night is enclosed.

4- What other equipment is expected to be on the property (tractors, manure spreaders, etc), where will these items be stored? How many horse trailers will be on the property, and what size trailers (i.e. how many horses).

No more than 1, 4 horse trailer and 1, 2 horse trailer. Skid loader(s) 1 big and 1 small, lawnmower(s) 1 big and 1 smaller, backhoe / front end loader (been on land for more than a year now, and all needed attachments for anything. ATV's for work and play, Golf Cart(s) for the same. My barn will accommodate my equipment as was built for that purpose.

On January 7 we received the following questions which I copy here along with our answers (Bold):

Fencing plan - **Already shown on the print.**

Location and size of paddocks - **already show on the print for main areas. Unsure of more separations at this time**

Location and size of manure pile/pit - **Location is shown already shown**

Location and size of pasture(s) for horses - **Already shown on the print**

Location and size of pasture(s) for goats - **Goats would be with the horses and only separated at night when they go in the barn for safety.**

Location and size of chicken coops - **Size already given, Location I am thinking right behind my garage on the house. Or over near where the trailer would be parked.**

As of this hour I have not received any documentation from Mr. McCann regarding a proposal to settle this issue amicably between neighbors.

I am sending this document to you to be in compliance with your request to get back to you on this date. At this time, I am unable to tell you anything regarding the expectations of my neighbors let alone if we are able to come to an agreement..

Most importantly, I am not sure how administratively a variance hearing works for additional information but I would very much like to be able to present you with a brief summary of this situation and the facts which brought us to this juncture and why we feel that it would be equitable to grant us a variance. I was unprepared to face a seasoned lawyer at this hearing. There was no notice that I would have opposition let alone an attorney with Mr. McCann's land-use background. It was unexpected as the barn had been started in April of 2019 and completed in July, and the citation came on Aug 28th after an apparent complaint by my neighbors, and nothing was ever brought to me personally during any other time. I wish to send a follow up document to you but wanted to wait to see if there would be a settlement document at the last hour by Mr. McCann. I can hope that these pointed questions were more to assure my neighbors that we intended to build a small and bucolic farm that would enhance not detract from any neighboring properties. Thank you for your time. I will send my document on Monday giving Mr. McCann time to respond first.

Best Regards,

J.C. Beattie, Jr

Thanks as always. With regards,

Bruce

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

Donna Mignon

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 3:14 PM
To: Donna Mignon
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road
Attachments: Beattie Cliffholme Zoning 10 27 19.pdf

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna – here is the site plan submitted in the original hearing (this one is unsealed, but matches). It's just a visual aid for discussion purposes. Given that this is set in for oral argument, we were not planning to submit any other exhibits and do not think it would be permitted.

Thanks,

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Tuesday, January 26, 2021 10:55 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

To be honest, I don't think it would hurt. Send it over. I will have it ready just in case.

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 10:54 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

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Thanks - I guess maybe it would be a good idea to show the original site plan and an aerial. Would I be able to show those?

Sent with BlackBerry Work
(www.blackberry.com)

From: Donna Mignon <dmignon@baltimorecountymd.gov>

Date: Tuesday, Jan 26, 2021, 10:50 AM

To: Mudd, Christopher D. <CDMudd@Venable.com>

Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

Hi Christopher,

Deb wanted me to make sure. Thank you. Have a great day.

From: Mudd, Christopher D. <CDMudd@Venable.com>

Sent: Tuesday, January 26, 2021 10:50 AM

To: Donna Mignon <dmignon@baltimorecountymd.gov>; Robinson, Drew <CARobinson@Venable.com>

Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

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Hi Donna - this was set in for oral argument, so I did not think we could submit any new exhibits?

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From: Donna Mignon <dmignon@baltimorecountymd.gov>

Date: Tuesday, Jan 26, 2021, 10:28 AM

To: Mudd, Christopher D. <CDMudd@Venable.com>, Robinson, Drew <CARobinson@Venable.com>

Subject: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

Hi Christopher,

This case is set for this Thursday, January 28, 2021 at 1:30 p.m.

I wanted to see if you have any exhibits that you will be presenting for this hearing. If you are, please email these over ASAP.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



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☐	<u>Christopher Mudd</u>	cdmudd@venable.com	1-	English	New York Time	U.S.
☐	<u>JC Beattie, Jr.</u>	jcbuncc@gmail.com	1-	English	New York Time	U.S.
☐	<u>Jeff Perlow</u>	jperlow@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Michael McCann</u>	michael@mccannlaw.net	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.

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Donna Mignon

From: Michael McCann <michael@mmccannlaw.net>
Sent: Tuesday, January 26, 2021 3:09 PM
To: Donna Mignon; Debra Wiley
Subject: 17 Cliffholme

CAUTION: This message from michael@mmccannlaw.net originated from a non-Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna/Deb: Could you guys please send an invite to Thursday's hearing to Jeff Perlow at jperlow@baltimorecountymd.gov

He is out of the office on medical leave, but is working from home. He told me he does not require a subpoena.

I should add that I understand the judge anticipates Thursday's hearing is just closing arguments by counsel, but I would like Jeff available.

Thanks.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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Donna Mignon

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 10:59 AM
To: Donna Mignon
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

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Ok – trying to track it down. Could I come thumb through the case file for a minute today? I know I'd have to do it out in the lobby...just want to familiarize myself with anything that's in there. Thanks.

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Tuesday, January 26, 2021 10:55 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

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From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 10:54 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

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Thanks - I guess maybe it would be a good idea to show the original site plan and an aerial. Would I be able to show those?

Sent with BlackBerry Work
(www.blackberry.com)

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Date: Tuesday, Jan 26, 2021, 10:50 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

Hi Christopher,
Deb wanted me to make sure. Thank you. Have a great day.

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 10:50 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Robinson, Drew <CARobinson@Venable.com>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna - this was set in for oral argument, so I did not think we could submit any new exhibits?

Sent with BlackBerry Work
(www.blackberry.com)

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Date: Tuesday, Jan 26, 2021, 10:28 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>, Robinson, Drew <CARobinson@Venable.com>
Subject: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

Hi Christopher,
This case is set for this Thursday, January 28, 2021 at 1:30 p.m.
I wanted to see if you have any exhibits that you will be presenting for this hearing. If you are, please email these over ASAP.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Practice social distancing and
wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



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transmission and delete the message without copying or disclosing it.

SECTION 400 - Accessory Buildings in Residence Zones

[BCZR 1955; Bill No. 27-1963]

§ 400.1. - Location; lot coverage.

Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40 percent thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50 percent of such third. In no case shall they be located less than 2½ feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

§ 400.2. - Setback.

[Bill No. 2-1992]

Accessory buildings, including parking pads, shall be set back not less than 15 feet from the center line of any alley on which the lot abuts.

§ 400.3. - Height.

The height of accessory buildings, except as noted in Section 300, shall not exceed 15 feet.

§ 400.4. - Accessory apartments.

[Bill No. 49-2011 ^[1]]

An accessory apartment is permitted as a temporary use within a principal single-family detached dwelling or within an accessory building situated on the same owner-occupied lot as the principal dwelling in any zone that permits single-family dwellings, subject to the following requirements:

A. If located within an existing single-family detached dwelling:

1. An applicant shall file with the Department of Permits, Approvals and Inspections an application for a use permit for an accessory apartment, on a form approved by the Department. With the application, the applicant shall submit a declaration of

understanding, on a form approved by the Department, including but not necessarily limited to the following terms and conditions:

- a. The size of the accessory apartment may not exceed one-third of the overall floor area of the dwelling or 2,000 square feet, whichever is less;
 - b. Any and all improvements to be dedicated as an accessory apartment shall be used solely as a single-family residence; and
 - c. The accessory apartment may not have separate utility meters, such as gas and electric service.
 2. The Director may approve the application upon a finding that the size, location, and purpose of the accessory structure will not negatively affect the health, safety, or general welfare of the surrounding community.
- B. If located within an accessory building on the same owner-occupied property as the principal single-family detached dwelling:
1. An applicant shall file a request for a special hearing and a use permit with the Department, together with a declaration of understanding as required by Subsection A1 of this section, and a public hearing before the Office of Administrative Hearings is required.
 2. The size of the accessory apartment may not exceed 1,200 square feet, and the accessory building shall comply with the requirements of Section 400.
 3. Following a public hearing, the Office of Administrative Hearings may grant a request upon a finding that the size, location, and purpose of the accessory apartment conform with Section 502.1 and may impose such conditions, restrictions or regulations consistent with Section 502.2 as may be deemed necessary or advisable for the protection of surrounding and neighboring properties, including the express prohibition that the accessory apartment not be converted to a second dwelling beyond the scope of this section.
 4. The accessory apartment may not have separate utility meters or water and sewerage services unless approved by the Office of Administrative hearings based on specific findings of necessity for the accessory building.
- C. Approval; renewal.
1. Approval. The approval of an application for a use permit in Subsection A or a request for a special hearing and a use permit in Subsection B shall be subject to the following:
 - a. The declaration of understanding and property description, including any conditions, restrictions, or regulations imposed by the Department or the Office of Administrative Hearings, shall be recorded in the land records of Baltimore County and a copy shall be filed with the Department; and
 - b. The accessory apartment shall only be utilized by immediate family members as

defined in Section 101 and may not be used by any person other than an immediate family member for any other reason.

- c. If the accessory apartment is no longer occupied by any person named in the use permit or if the property is sold, the use permit shall terminate, and any proposed changes in occupancy to the accessory apartment by the property owner or subsequent purchaser shall require a new request for a use permit as applicable under Subsection A or B.
2. Renewal. The applicant shall renew the use permit with the Department every two years by filing a renewal on a form approved by the Department, to be dated from the month of the initial approval, and shall list the name of any person occupying the accessory apartment.

Footnotes:

— (1) —

1. *Editor's Note— This Act stated that it applied retroactively to requests for in-law apartments filed on or after 8-1-2010, and also that owners of in-law apartments lawfully approved prior to the effective date of this Act must obtain a use permit required by this Act on or before 10-1-2012.*

Date 7/25/19
OEA [Signature]
Historic District/Building
☐ Yes ☒ No
District / Precinct
3 1

Receipt # 18-0000000
Fee 23151215
Total Paid 293
Paid By [Signature]
Inspector [Signature]

Property Address 07 Cliff Home Rd
 Suite/Space/Floor _____
 City _____
 Tax Account # 033013975
 Will this building have sprinklers? ☐ Yes ☐ No
 Is this property located in a floodplain? ☐ Yes ☐ No

OWNER'S INFORMATION:
First & Last Name (Individual) James C Beattie
Corperation Name -
Address 3302 Serenity Way
City, State, Zip Owensville MO 63117
Seller _____

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT, AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION

Name Ren Battaglia Phone Number 443-987-5804

Company (if applicable) Battaglia Homes LLC

Address 14333 Fairettsville Pike

City, State, Zip Phoenix MD 21131

Applicant Signature Ren Battaglia E-Mail _____

Business/Tenant Name _____

Contractor Battaglia Homes ~~SMITH~~ ~~WBR~~ 6363

Engineer Ray State Land Services

PLANS: CONST 9 PLOT 10 PLAT 2 DATA 0 EL 1 PL 1 DRC # _____

DESCRIBE PROPOSED WORK: *Cons. Thrust of replacement*
w/covered front porch finished
blsmt, covered patio, covered rear deck,
carp f/lp - 6/5 pynot to exc 4x10;
 NON-RESIDENTIAL *(4) car garage (4) bedrooms.*
 _____ Amusement, Recreation, Place of Assembly
 _____ Church, Other Religious Building
 _____ Deleted _____
 _____ Industrial, Storage Building
 _____ Parking Garage
 _____ Service Station, Repair Garage
 _____ Hospital, Institutional, Nursing Home
 _____ Office, Bank, Professional
 _____ Public Utility
 _____ School, College, Other Educational
 _____ Deleted _____

102' x 88' x 44' = 7932 sq
Sprinkler system
req'd

01. ☒ One Family
02. ☒ Two Family
03. ☐ Three and Four Family
04. ☐ Five or More Family
(enter no. units) _____
05. ☐ Swimming Pool
06. ☐ Garage
07. ☐ Other _____

08. ☐ Amusement, Recreation, Place of Assembly *Storage*
09. ☐ Church, Other Religious Building
10. ☐ Deleted
11. ☐ Industrial, Storage Building *102' x 88' x 4*
12. ☐ Parking Garage
13. ☐ Service Station, Repair Garage *5 sprinklers req'd*
14. ☐ Hospital, Institutional, Nursing Home
15. ☐ Office, Bank, Professional
16. ☐ Public Utility
17. ☐ School, College, Other Educational
18. ☐ Deleted
19. ☐ Store ☐ Mercantile ☐ Restaurant (specify type) _____
20. ☐ Swimming Pool (specify type) _____
21. ☐ Tank, Tower
22. ☐ Transient Hotel, Motel (no. units _____)
23. ☐ Other _____

1. ☒ Slab	1. ☒ Full
2. ☒ Block	2. ☐ Partial
3. ☒ Concrete	3. ☐ None

1. ☒ Masonry
2. ☒ Wood Frame
3. ☐ Structure Steel
4. ☐ Reinforced Concrete

1. Gas 3. Electricity
2. Oil 4. Coal

1. Public Sewer Exists Proposed
2. Private System
Septic Exists Proposed
Privy Exists Proposed

1. Public System Exists Proposed
2. ~~Private System~~ ~~Exists~~ Proposed

Estimated Cost of Materials and Labor \$ 725,000

Proposed Use: SFCL
Existing Use: Kitchen

Ownership: 1. ☒ Privately Owned 2. ☐ Publicly Owned 3. ☐ Sale 4. ☐ Rental

Residential Category: 1. 1 Detached 2. Semi-Detached 3. Group 4. Townhouse 5. Mid-Rise 6. High-Rise

One Family Bedroom # 4 Bathroom # 4 Kitchen # 1 Powder Room # 2 Garbage Disposal: 1. ☐ Yes 2. ☐ No

Class 1 Liber Folio Map Parcel APPROVAL SIGNATURES
Building Size 793221 Lot Size and Setbacks 8114.1 BLD INSP

Floor _____ Size _____ BLD PLAN _____
Width _____ Front Street _____

Depth 68' Side Street _____ FIRE _____
 Hoist 84' Front Satchel 73.96' SEDI CIL OK to Fireman

Stories 2 + 3rd Side Setback 137' / 205.75' ZONING 611 Other Pardon Final T
 Front Setback 137' / 205.75' PLUR SERV 84 13 100

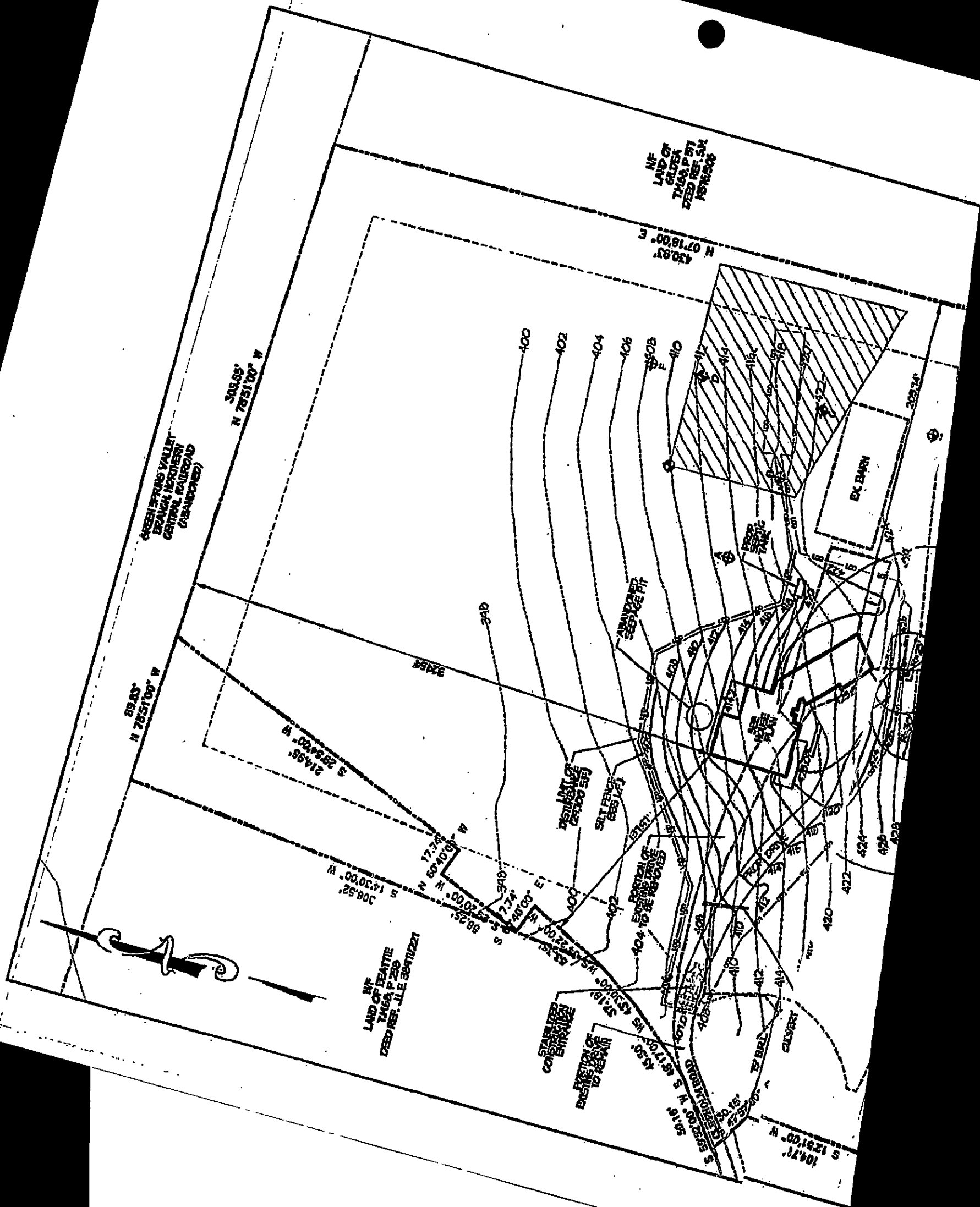
Side Street Setback _____
Rear Setback 32'9"

Corner Lot: 1. ☐ Yes 2. ☐ No Zoning RC2

PAIDPP8 MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND -- PERMIT FEES ARE NON-REFUNDABLE

APPROVAL SIGNATURES _____ DATE _____

BLD INSP	
BLD PLAN	
FIRE	
SEDI CIL	OK to File Dan Linn 7/25/19
ZONING	Jeffrey Kerley Final 7/25/19
PUB SERV	OK to File 7/25/19
ENVRMNT	OK to File Dan Linn 7/25/19
PLANNING	
PERMITS	



75962119-NR

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 03 Account Number - 0313013975			
Owner Information					
Owner Name:	JAMES C BEATTIE JR TRUST		Use:	RESIDENTIAL	
Mailing Address:	3307 SERENITY WAY		Principal Residence:	NO	
	OWINGS MILLS MD 21117-		Deed Reference:	/39701/ 00108	
Location & Structure Information					
Premises Address:	17 CLIFFHOLME RD OWINGS MILLS 21117-4320		Legal Description:	5.054 AC NS CLIFFHOLM RD 1700FT E GREENSPRNG VA	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0068	0007	0175	3020014.04	0000	2020
Special Tax Areas: None			Town:		None
			Ad Valorem:		None
			Tax Class:		None
Primary Structure Built	Above Grade Living Area		Finished Basement Area		Property Land Area
1936	2,162 SF				5.0540 AC
County Use	04				
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
1	NO	STANDARD UNIT	FRAME/	4	2 full/ 1 half
				Garage	
				1 Detached	
				Last Notice of Major Improvements	
Value Information					
		Base Value	Value		Phase-in Assessments
			As of		As of
			01/01/2017		07/01/2019
					As of
					07/01/2020
Land:		98,000	98,000		
Improvements		162,100	162,100		
Total:		260,100	260,100		260,100
Preferential Land:		0			
Transfer Information					
Seller: BEATTIE JAMES C, JR		Date: 12/04/2017		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /39701/ 00108		Deed2:	
Seller: GARRISON FOREST SCHOOL INCORPORATED		Date: 02/27/2013		Price: \$336,760	
Type: NON-ARMS LENGTH OTHER		Deed1: /33233/ 00005		Deed2:	
Seller: HOFFMAN KATHARINE MCLANE		Date: 05/22/2012		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /32097/ 00482		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019		07/01/2020	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt: None		Special Tax Recapture: None			

Exempt Class: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application**Date:**



APPLICATION FOR BUILDING PERMIT # B956440

INSTRUCTIONS: Complete each of the open fields on the form and either present it to an Engineering Assistant at the Department of Permits, Approvals and Inspections in Room 100, County Office Building, Towson, MD or email the form to paipermittapps@baltimorecountymd.gov prior to your visit so that it will be on file. Please include the full address of the property in the subject field for retrieval. Gray fields on the form are for office use only. Fields marked with an asterisk (*) are required. When you meet with an engineering assistant, they will indicate actions that you will need to take in order to have your building permit approved. Please refer to www.baltimorecountymd.gov/permitprocessing to ensure you bring the right documentation with you to expedite your application process. Do not use this form for fence, electric, or plumbing permits.

OFFICIAL USE ONLY	
Date	2/22/19
DEAV	5:24 PM
Permit #	B956440
Receipt #	A 195966
Control #	21
XRef #	
Fee	1276
Total Paid	1276
Paid By	ADD
TYPE OF IMPROVEMENT	
☐ 1. New Construction	
☐ 2. Addition	
☐ 3. Alteration	
☒ 4. Repair	
☐ 5. Wrecking	
☐ 6. Moving	
☐ 7. Other	
TYPE OF USE	
Residential	
☒ 01. One Family	
☐ 02. Two Family	
☐ 03. Three and Four Families	
☐ 04. Five or More Families	
Number of Units	
☐ 05. Swimming Pool	
☒ 06. Garage	
☐ 07. Other	
Non-Residential	
☐ 08. Amusement, Recreation	
Place of Assembly	
☐ 09. Church, Other Religious	
Building	
☐ 11. Industrial, Storage Building	
☐ 12. Parking Garage	
☐ 13. Service Station, Repair	
Garage	
☐ 14. Hospital, Institutional	
☐ 15. Nursing Home	
☐ 16. Office, Bank, Professional	
☐ 17. Public Utility	
☐ 18. School, College, Other	
Educational	
☐ 19. Store	
Mercantile	
☐ 20. Restaurant	
Type	
☐ 21. Swimming Pool	
Type	
☐ 22. Tank, Tower	
☐ 23. Transient Hotel, Motel	
Units	
☐ 24. Other	

PROPERTY INFORMATION

*Property Address	17 Cliffholme Road	2117-4320
Suite/Space/Floor		
*Subdivision	1700 FT. GREEN SPRING VALLEY	
*Tax Account Number	0313013975	
District	3	Precinct

OWNER INFORMATION

*First and Last Name	James Beattie Jr	TRUST.
Corporation Name		
*Address	3307 Serenity Way	
*City, State, Zip	Owings Mills, MD. 21117	
*Phone	(410) 949-6305	

APPLICANT INFORMATION

*First and Last Name	Brandon Anpkowiak		
Company	ARC Contracting		
*Address	1117 Furnace Road		
*City, State, Zip	Lithicum Heights, MD. 21090		
*Phone	(443) 623-1367	Email	trey@cartershauling.com
MHIC#	108455	MHBR#	
*Business/Tenant Name	ARC Contracting		
Contractor	Brandon		
*Engineer/Architect	ARC Contracting		
Seller			

I have carefully read this application, know the same is correct and true and that in doing this work all provisions of the Baltimore County Code and appropriate state regulations will be complied with whether herein specified or not, and will request all required inspections.

*Applicant Signature	Original Signature Required
----------------------	-----------------------------

PLANS				DRC#	Class	OF
CONST	PLOT	PLAT	DATA	EL	PL	
Historic District/Building	Yes	No	Will this building have sprinklers?	Yes	No	
Is this property located in a floodplain?	Yes	No				

FOUNDATION TYPE

☐ 1. Slab ☐ 2. Block ☐ 3. Concrete

BASEMENT

☐ 1. Full ☐ 2. Partial ☐ 3. None

TYPE OF CONSTRUCTION

☐ 1. Masonry
☐ 2. Wood Frame
☐ 3. Structure Steel
☐ 4. Reinforced Concrete

TYPE OF HEATING FUEL

☐ 1. Electricity
☐ 2. Gas
☐ 3. Geothermal
☐ 4. Oil

CENTRAL AIR

☐ 1. Yes ☐ 2. No

TYPE OF SEWAGE DISPOSAL

☐ 1. Public Sewer
 ☐ Exists ☐ Proposed
☒ 2. Private System
 ☐ Septic ☐ Privy
 ☐ Exists ☐ Proposed

TYPE OF WATER SUPPLY

☐ 1. Public System
 ☐ Exists ☐ Proposed
☒ 2. Private System
 ☐ Exists ☐ Proposed

ESTIMATED COSTS

Material/Labor: _____

OWNERSHIP

☒ 1. Private ☐ 3. Sale
☐ 2. Public ☐ 4. Rental

RESIDENTIAL CATEGORY

☒ 1. Detached
☐ 2. Semi-Detached
☐ 3. Group
☐ 4. Townhouse
☐ 5. Mid-Rise
☐ 6. High-Rise

CORNER LOT

☐ 1. Yes ☐ 2. No

GARBAGE DISPOSAL

☐ 1. Yes ☐ 2. No

DESCRIBE PROPOSED WORK

Raze SFD 2100sf & shed 150sf, will be torn down. Debris must be hauled to an approved sanitary landfill in accordance with applicable county site regulations. Built 1936. Septic will be backfilled. Pest control letter is attached. Permit expires 90 days from date of issue.

Proposed Use	vacant lot				
Existing Use	SFD & shed				
Efficiency #	1-Bedroom #	2-Bedroom #	3-Bedroom #	Total Bedrooms	
1-Family Bedroom #	Bathroom #	Kitchen #	Powder Rm #	Total Apt/Condos	

BUILDING SIZE	
Floor	2250
Width	
Depth	
Height	
Stories	
Lot #s	

LOT SIZE AND SETBACKS	
Size	5.054 AC
Front Street	
Side Street	
Front Setback	
Side Setback	
Side St Setback	
Rear Setback	
Zoning	

Obtain approval signatures from each of the checked departments below:			
Required		Approval Signatures	Date
☐	BLD INSP (Room G21)		
☐	BLD PLAN (Room 120)		
☐	FIRE (Room 120)		
☐	SEDI CTL (Room G21)		
☐	ZONING (Room 111)		
☐	PUB SERV (Room 119)		
☒	ENVRNMNT (Room 319)	OK to file Dan L	2/22/19
☒	PLANNING (Room 101 in the Jefferson Building)	Final T.R.	2/22/19
☐	PERMITS (Room 100)	hold for pickup	
☐			

Case No.: _____

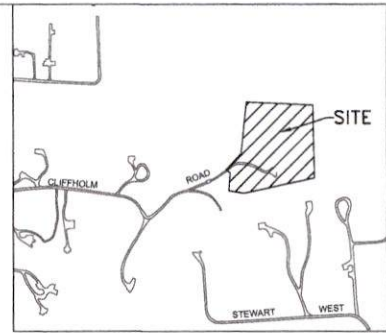
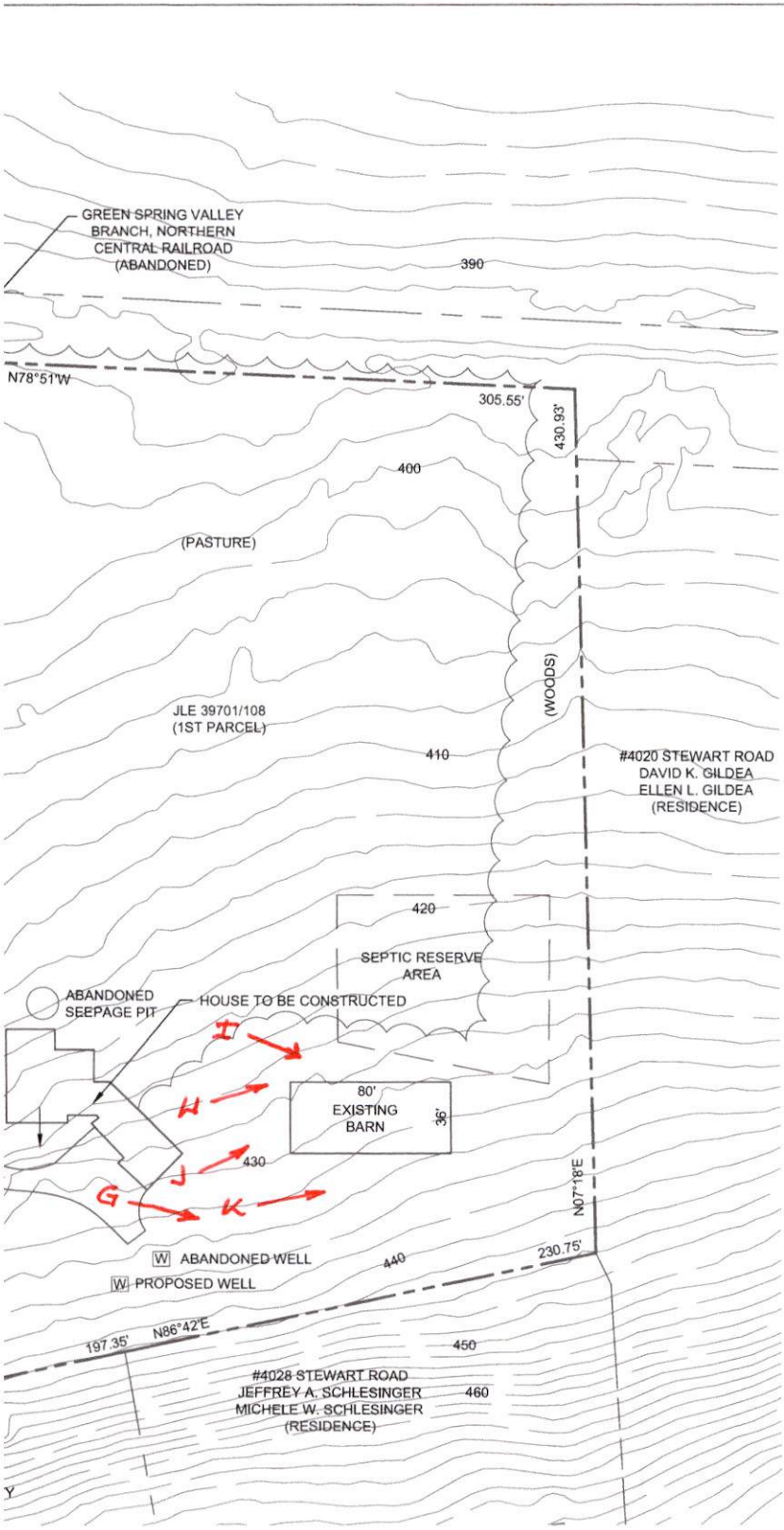
Exhibit Sheet

12-11-13
203

Petitioner/Developer

Protestants

No. 1		
No. 2		
No. 3		
No. 4		2/10/21
No. 5		DM.
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Vicinity Map - Scale: 1' = 500'

PLAN TO ACCOMPANY PHOTOS

PETITIONER'S

EXHIBIT NO. 2



REVISION

Bruce E. Doak Consulting, LLC
 Land Use Expert and Surveyor
 3801 Baker Schoolhouse Road
 Freetland, MD 21053
 o 443-900-5535 m 410-419-4906
 bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
 A ZONING PETITION
 FOR
 BEATTIE PROPERTY
 #17 CLIFFHOLME ROAD
 BALTIMORE COUNTY, MARYLAND
 3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT

Date: 10/13/2019
Scale: 1" = 40'

GENERAL SITE INFORMATION

1. Ownership: James C. Beattie Jr., Trust dated May 1, 2017
3307 Serenity Way Owings Mills, MD 21117
2. Address: 17 Cliffholme Road Owings Mills MD 21117
3. Deed references: JLE 39701/108
4. Area: 5.054 acres (per SDAT)
5. Tax Map / Parcel / Tax account #: 68 / 175 / 03-13-013975
6. Election District: 3 Councilmanic District: 2
ADC Map: 4577C6 GIS tile: 068A1 Position sheet: 40NW23
7. The boundary shown hereon is from the deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 068A1 and the information provided by Baltimore County on the Internet.
8. Improvements: Barn and pasture fencing. The barn and fencing will remain. The house was razed and a new one will be built.

OFFICE OF ZONING

Zoning: RC 2

There have been no zoning cases pertaining to the subject property.

ENVIRONMENTAL IMPACT

Watershed: Jones Falls URDL land type: 1

1. The future house will be served by a private septic system and well.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

GROUND WATER MANAGEMENT

The location of the septic reserve area and the proposed well shown hereon was provided by Baltimore County and the owner.

OFFICE OF PLANNING

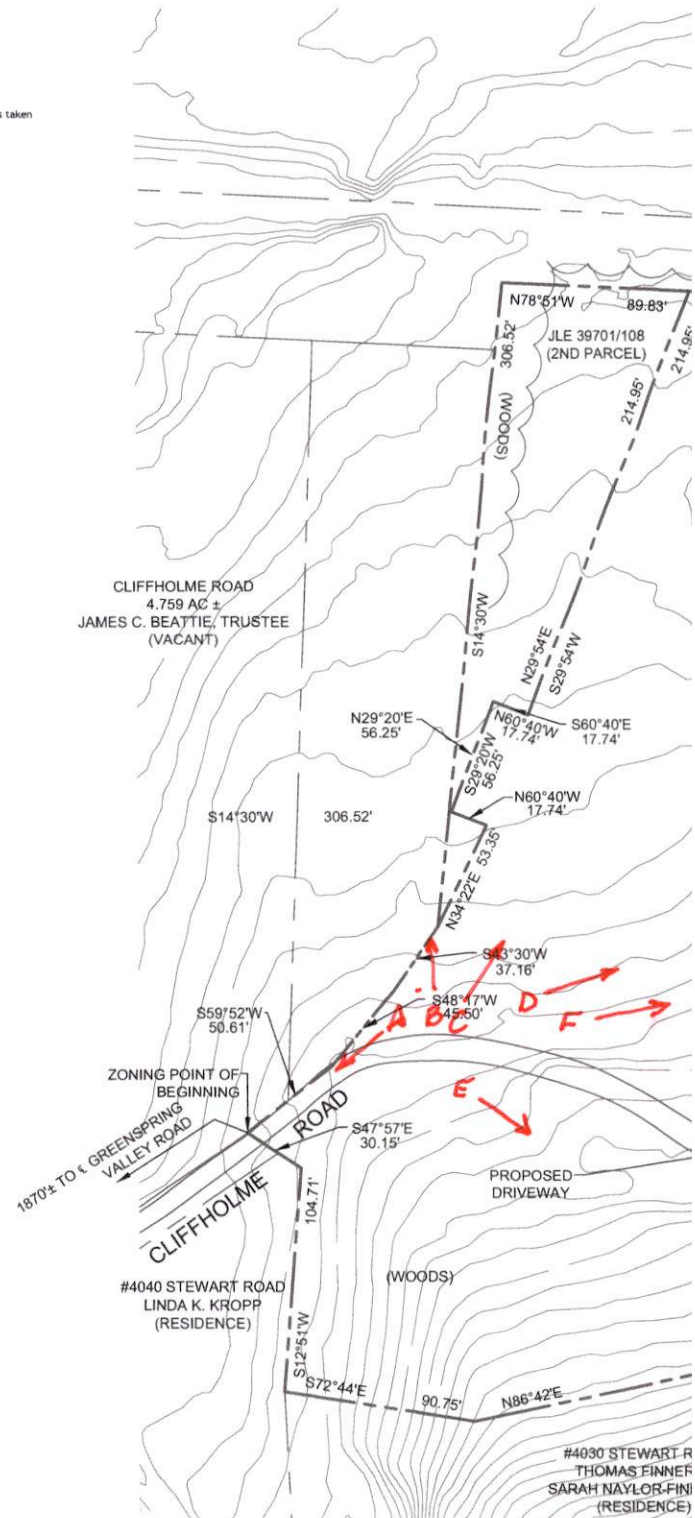
Regional Planning District: Pikesville District Code: 313

1. The subject property is in the Greenspring Valley National Register Historic District.

PROPOSED DEVELOPMENT

To construct a house on the subject property and utilize the barn for agricultural use in the near future.

PHOTOS OF EXISTING BARN



GENERAL SITE INFORMATION

1. Ownership: James C. Kestle Jr. Trust, dated May 1, 2017
2. 2017 Surveying by Onlay MDS, MD 21117
3. Address: 17 Cliffholme Road, Clarksburg, MD 21117
4. Survey: 3.054 acres (per 10/17)
5. Tax Map / Parcel / Tax Section: 66 / 179 / 15-1-01029
6. Election District: 3 Councilman District 1
7. A/E: Doug COTTELL, CDR (601) 668-1111, P.E. (601) 668-1111
8. The boundary shown herein is based on the records of the Land Records of Baltimore County. All other information shown herein was taken from Baltimore County GIS data and is for information purposes only. Baltimore County is not responsible for the accuracy of the information shown herein.
9. Improvements: Back and property line. The barn and existing well remain. The house and existing well are to be built.

OFFICE OF ZONING

Landings, Inc. 1
There have been no zoning cases pertaining to the subject property.

ENVIRONMENTAL IMPACT

Wetlands: None. No wetlands are present on the subject property.

1. The future house will be served by a private septic system and well.
2. There are no wetlands or flood zones on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100-year flood plain.

GROUND WATER MANAGEMENT

The location of the water table and the proposed well shown herein was provided by Baltimore County and the owner.

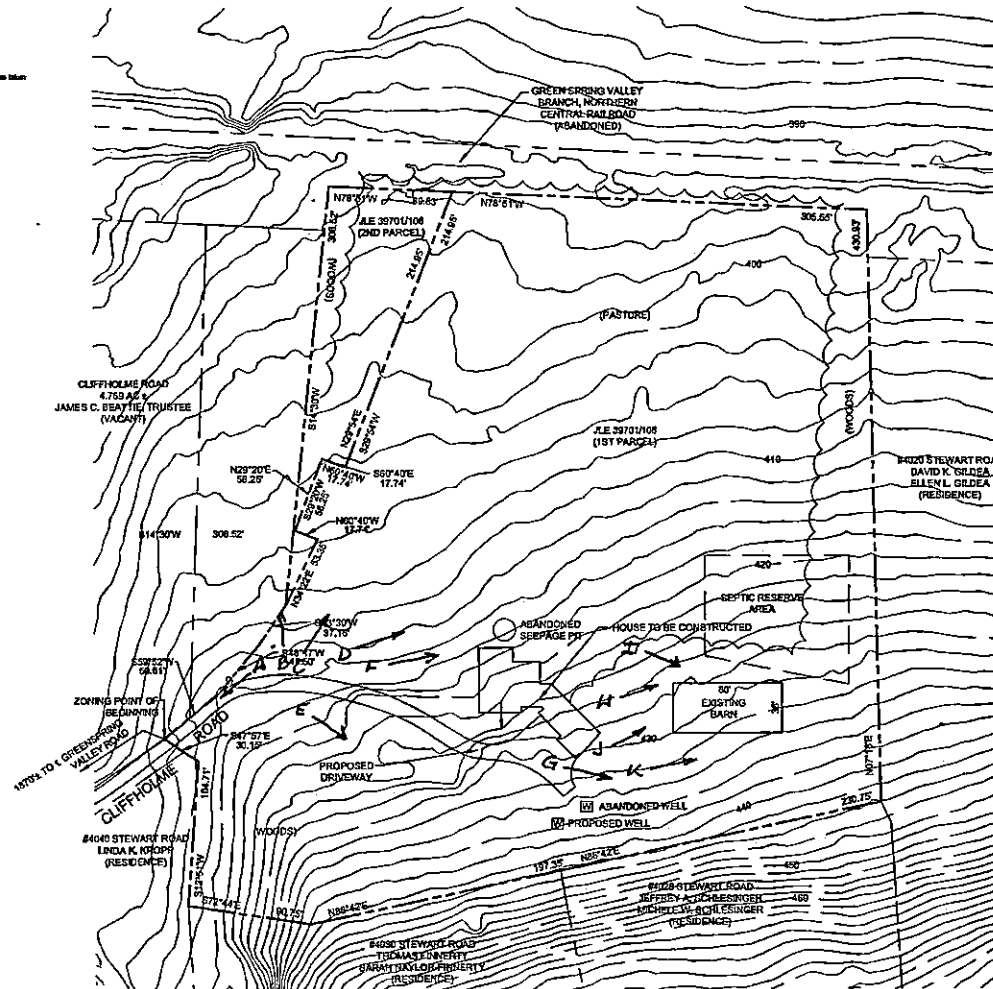
OFFICE OF PLANNING

Regional Planning District: Planning District 313
The subject property is in the Greening Valley Historic District.

PROPOSED DEVELOPMENT

To construct a house on the subject property and set up the barn for agricultural use in the near future.

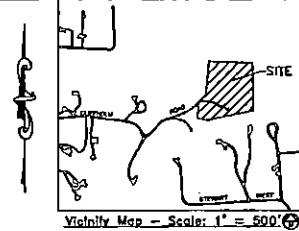
PHOTOS OF EXISTING BARN



PLAN TO ACCOMPANY PHOTOS

PETITIONER'S

EXHIBIT NO. 2



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3201 Baker Schoolhouse Road
Piedmont, MD 21103
(410) 800-0555 or (410) 418-4905
info@brucedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
DEANIE PROPERTY
#17 CLIFFHOLME ROAD
BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT
Date: 10/13/2018
Scale: 1" = 40'

PETITIONER'S

EXHIBIT NO.

3
A-C





























CASE NO. 2020-

2019-0510 SP4A

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

DEVELOPMENT PLANS REVIEW

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

DEPS

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

FIRE DEPARTMENT

PLANNING

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING (1st)

Date: _____

SIGN POSTING (2nd)

Date: _____

Per Paul
no need to do
posting Per email

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

1/28
at 1:30 pm.

✓/tr
✓order

11/2019

Comment
no obj.

Donna Mignon

From: Donna Mignon
Sent: Tuesday, January 26, 2021 10:56 AM
To: 'Michael McCann'
Cc: Debra Wiley
Subject: RE: Case No: 2019-0510-SPHA 17 Cliffholme Road (Beattie)
Attachments: Message from "RNP002673F6C9D3"

Michael,
I went through the file and please see the attached that I found regarding the exhibits at the last hearing.

From: Michael McCann <michael@mmccannlaw.net>
Sent: Tuesday, January 26, 2021 9:51 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case No: 2019-0510-SPHA 17 Cliffholme Road (Beattie)

CAUTION: This message from michael@mmccannlaw.net originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna/Deb: Do you guys have an exhibit list for this case? It's been a while.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

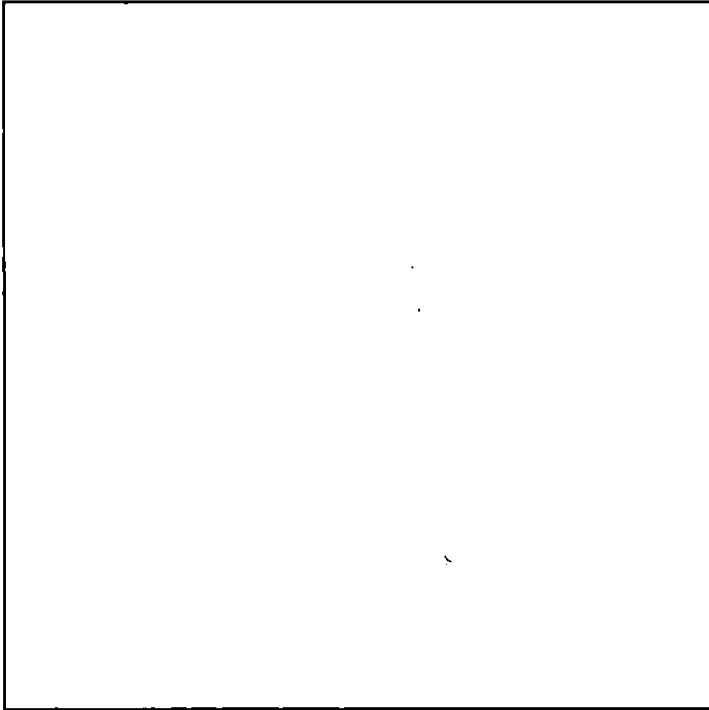
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From: Donna Mignon [mailto:dmignon@baltimorecountymd.gov]
Sent: Thursday, January 21, 2021 9:09 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Case No: 2019-0510-SPHA 17 Cliffholme Road (Beattie)

Good Morning,
This case is currently scheduled for a hearing on January 28, 2021 at 1:30 p.m., for legal arguments of counsel. Please forward any exhibits you wish to present for the hearing at least two business days to administrativehearings@baltimorecountymd.gov.

Thank you. Have a great day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



CONNECT WITH BALTIMORE COUNTY

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www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Tuesday, January 26, 2021 10:55 AM
To: 'Mudd, Christopher D.'
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

To be honest, I don't think it would hurt. Send it over. I will have it ready just in case.

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 10:54 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

CAUTION: This message from CDMudd@Venable.com originated from a non Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks - I guess maybe it would be a good idea to show the original site plan and an aerial. Would I be able to show those?

Sent with BlackBerry Work
(www.blackberry.com)

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Date: Tuesday, Jan 26, 2021, 10:50 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

Hi Christopher,
Deb wanted me to make sure. Thank you. Have a great day.

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, January 26, 2021 10:50 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Robinson, Drew <CARobinson@Venable.com>
Subject: RE: 2019-0510-SPHA 17 Cliffholme Road

CAUTION: This message from CDMudd@Venable.com originated from a non Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna - this was set in for oral argument, so I did not think we could submit any new exhibits?

Sent with BlackBerry Work
(www.blackberry.com)

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Date: Tuesday, Jan 26, 2021, 10:28 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>, Robinson, Drew <CARobinson@Venable.com>
Subject: 2019-0510-SPHA 17 Cliffholme Road

Caution: External Email

Hi Christopher,

This case is set for this Thursday, January 28, 2021 at 1:30 p.m.

I wanted to see if you have any exhibits that you will be presenting for this hearing. If you are, please email these over ASAP.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



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wear a mask in public places.

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Sent: Thursday, January 21, 2021 9:09 AM
To: 'Mudd, Christopher D.'; 'Michael McCann'
Cc: Debra Wiley
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Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Sunday, December 20, 2020 12:05 PM
To: Michael McCann; Kristen L Lewis; Paul Mayhew; Debra Wiley
Cc: Donna Mignon
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks for confirming Michael - the early dates were not good for us. So these work. 28th is better, if possible.
Thanks all,

Chris

Sent with BlackBerry Work
(www.blackberry.com)

From: Michael McCann <michael@mmccannlaw.net>
Date: Sunday, Dec 20, 2020, 9:40 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>, Paul Mayhew <pmayhew@baltimorecountymd.gov>, Debra Wiley <dwiley@baltimorecountymd.gov>, Mudd, Christopher D. <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Caution: External Email

Kristen: Jan 25 and 28th are good for us. Thanks.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, December 17, 2020 3:12 PM
To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

You're welcome. I only have 1/20, 1/25 or 1/28 all available at 1:30 p.m.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [<mailto:michael@mmccannlaw.net>]
Sent: Thursday, December 17, 2020 2:54 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

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Thanks Kristen. I have not checked with my clients, but those dates are not good for me. Can you provide some dates later in the month?

Michael

Michael R. McCann
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Towson, Maryland 21204
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-----Original Message-----

From: Kristen L Lewis [<mailto:klewis@baltimorecountymd.gov>]
Sent: Thursday, December 17, 2020 2:50 PM
To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Ok great. Since the case does not need to meet any posting/advertising requirements, I do have 1/5 and 1/6 both available at 1:30 p.m. and 1/15/21 available all day.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [<mailto:michael@mmccannlaw.net>]
Sent: Thursday, December 17, 2020 2:46 PM

To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kristen: I think a half day should be fine. Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, December 17, 2020 2:43 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Thank you Judge Mayhew.

Mr. McCann and Mr. Mudd, do you feel that an afternoon will be sufficient or will a full day be needed?

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Paul Mayhew
Sent: Thursday, December 17, 2020 2:41 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Kristen,

No, it does not need to be re-posted. I am only hearing legal arguments of counsel. Please just provide counsel with several available dates in the near future. thanks

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 11/26/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-510

INFORMATION:

Property Address: 17 Cliffholme Avenue
Petitioner: James Beattie, Jr.
Zoning: RC 2
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing and variance to determine whether or not the administrative law judge should permit an accessory structure (barn) to exist on the subject property prior to the construction of the principle dwelling; accessory structure (barn) to be located in the side yard in lieu of the rear yard; and the height of the accessory structure (barn) to be 25 feet in lieu of 15 feet.

A site visit was conducted on November 19, 2019. The subject property was not accessed directly, but the barn was seen from the adjacent property to the south.

On November 20, 2019, Planning spoke with the petitioner's representative, Mr. Bruce Doak. The accessory structure is to be used for future horse stabling and equipment storage, once the principle dwelling is completed.

Since the structure was built without permits and it does not appear to be limited to agricultural uses, the property owner should be required to obtain permits through the appropriate permitting process. The permit should include any electrical, plumbing and gas fitting (existing and/or proposed) and should comply with all environmental requirements.

In the event that the property owner demonstrates that the accessory structure will only be used for agricultural uses and will not be used for recreational use nor the storage of non-agricultural equipment, then the above permitting requirement should not be enforced.

The Department of Planning has no objections to the requested relief conditioned upon the following:

1. The accessory structure shall not be used for commercial nor residential purposes.
2. The accessory structure shall not contain any separate utility meters.
3. If it is determined that the accessory structure is to be used for any non-agricultural related uses, the structure should be required to obtain the appropriate permits.

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Christopher Mudd	cdmudd@venable.com	1-	New York Time	English	U.S.
JC Beattie, Jr.	jcbuncc@gmail.com	1-	New York Time	English	U.S.
Michael McCann	michael@mccannlaw.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

Donna Mignon

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Monday, December 21, 2020 2:28 PM
To: Donna Mignon
Cc: JC Beattie Jr
Subject: FW: Invitation to join Web seminar as a panelist: Zoning Hearing - 2019-0510-SPHA - 17 Cliffholme Road
Attachments: not supported calendar message.ics; Zoning Hearing - 2019-0510-SPHA - 17 Cliffholme Road.ics

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Donna – can you please add JC Beattie as a panelist for this meeting. Thanks!

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: messenger@webex.com <messenger@webex.com>
Sent: Monday, December 21, 2020 8:53 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: Invitation to join Web seminar as a panelist: Zoning Hearing - 2019-0510-SPHA - 17 Cliffholme Road

Caution: External Email

You're a panelist for this Webex event. When it's time, join the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 180 677 5661
Event password: 1234
Panelist password: The Event has no Panelist Password

Thursday, January 28, 2021 1:30 pm, Eastern Standard Time (New York, GMT-05:00)

[Join event](#)

If you experience a problem joining the event as a panelist, you can join as an attendee.

Join as an attendee:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e1c4e16bab1ec6a5b51dce36effd>

Join the audio conference only

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1806775661@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 393297

Need help? Go to <https://help.webex.com>

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Event Information

Event:

Zoning t

Type:

Listed E

Event address for attendees:<https://baltimorecountymd.gov>**Event address for panelists:**<https://baltimorecountymd.gov>**Date and time:**Thursda
Eastern**Duration:**

1 hour

Description:Zoning t
Case No
17 Cliffh
(Beattie)**Event number:**

180 677

Event password:

1234

Host key:

644777

Alternate Host:

Deb Wilk

Panelist Info:**Panelist password:**

Donna Mignon

From: Kristen L Lewis
Sent: Monday, December 21, 2020 8:38 AM
To: Mudd, Christopher D.; Michael McCann; Paul Mayhew; Debra Wiley
Cc: Donna Mignon
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

You're welcome.

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: Mudd, Christopher D. [mailto:CDMudd@Venable.com]
Sent: Monday, December 21, 2020 8:16 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

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Thank you.

Sent with BlackBerry Work
(www.blackberry.com)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Date: Monday, Dec 21, 2020, 8:04 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>, Michael McCann <michael@mmccannlaw.net>, Paul Mayhew <pmayhew@baltimorecountymd.gov>, Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Caution: External Email

Good morning,

I will set in the final date for this case for Thursday, January 28th at 1:30 p.m. This email serves as confirmation. The ALJ's office will send out a webex link to the necessary parties. Thank you all and have a great day.

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

From: Mudd, Christopher D. [mailto:CDMudd@Venable.com]

Sent: Sunday, December 20, 2020 12:05 PM

To: Michael McCann <michael@mmccannlaw.net>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

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Thanks for confirming Michael - the early dates were not good for us. So these work. 28th is better, if possible.
Thanks all,

Chris

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(www.blackberry.com)

From: Michael McCann <michael@mmccannlaw.net>

Date: Sunday, Dec 20, 2020, 9:40 AM

To: Kristen L Lewis <klewis@baltimorecountymd.gov>, Paul Mayhew <pmayhew@baltimorecountymd.gov>, Debra Wiley <dwiley@baltimorecountymd.gov>, Mudd, Christopher D. <CDMudd@Venable.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

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Kristen: Jan 25 and 28th are good for us. Thanks.

Michael

Michael R. McCann
Michael R. McCann, PA
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Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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Sent: Thursday, December 17, 2020 3:12 PM

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Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

You're welcome. I only have 1/20, 1/23 or 1/28 all available at 1:30 p.m.

Kristen Lewis
PAI - Zoning Review
410-887-3391

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To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

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Michael

Michael R. McCann
Michael R. McCann, PA
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Towson, Maryland 21204
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To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Ok great. Since the case does not need to meet any posting/advertising requirements, I do have 1/5 and 1/6 both available at 1:30 p.m. and 1/15/21 available all day.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [<mailto:michael@mmccannlaw.net>]
Sent: Thursday, December 17, 2020 2:46 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kristen: I think a half day should be fine. Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [<mailto:klewis@baltimorecountymd.gov>]
Sent: Thursday, December 17, 2020 2:43 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Thank you Judge Mayhew.

Mr. McCann and Mr. Mudd, do you feel that an afternoon will be sufficient or will a full day be needed?

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Paul Mayhew
Sent: Thursday, December 17, 2020 2:41 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Kristen,

No, it does not need to be re-posted. I am only hearing legal arguments of counsel. Please just provide counsel with several available dates in the near future. thanks

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

-----Original Message-----

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Sent: Thursday, December 17, 2020 2:14 PM

To: Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good afternoon,

Judge Mayhew, Will this case need to be advertised and posted? Also, will this case need a full day or would an afternoon be sufficient?

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [<mailto:michael@mmccannlaw.net>]

Sent: Thursday, December 17, 2020 1:57 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Deb: We are waiting to hear from Kristen for potential dates.

Thanks for checking.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Debra Wiley [<mailto:dwiley@baltimorecountymd.gov>]

Sent: Thursday, December 17, 2020 12:50 PM

To: 'Mudd, Christopher D.' <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>

Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>

Subject: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good Afternoon,

Please see attached and provide a status update regarding your scheduling of this matter.

Thanks in advance.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>

Sent: Thursday, December 17, 2020 12:50 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 12.17.2020 12:49:33 (-0500)

Queries to: adminhearingscpr@baltimorecountymd.gov

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<<http://www.baltimorecountymd.gov>>

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www.baltimorecountymd.gov <<http://www.baltimorecountymd.gov>>

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This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Donna Mignon

From: Donna Mignon
Sent: Monday, December 21, 2020 8:54 AM
To: Kristen L Lewis
Subject: Link - RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Event Information

Event: Zoning Hearing - 2019-0510-SPHA - 17 Cliffholme Road
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI>
Date and time: Thursday, January 28, 2021 1:30 pm
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No: 2019-0510-SPHA
17 Cliffholme Road
(Beattie)
Event number: 180 677 5661
Event password: 1234
Host key: 644777
Alternate Host: Deb Wiley, Henry Ayakwah
Panelist Info:
Panelist password:
Panelist numeric password: 393297
Video Address: 1806775661@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 180 677 5661
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No

Password required: No
Password:
Approval required: No
Custom registration form: No

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Monday, December 21, 2020 8:38 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

You're welcome.

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: Mudd, Christopher D. [mailto:CDMudd@Venable.com]
Sent: Monday, December 21, 2020 8:16 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you.

Sent with BlackBerry Work
(www.blackberry.com)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Date: Monday, Dec 21, 2020, 8:04 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Caution: External Email

Good morning,

I will set in the final date for this case for Thursday, January 28th at 1:30 p.m. This email serves as confirmation. The ALJ's office will send out a webex link to the necessary parties. Thank you all and have a great day.

Kristen Lewis-Colgs
PAI - Zoning Review
410-887-3391

From: Mudd, Christopher D. [mailto:CDMudd@Venable.com]
Sent: Sunday, December 20, 2020 12:05 PM
To: Michael McCann <michael@mmccannlaw.net>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks for confirming Michael - the early dates were not good for us. So these work. 28th is better, if possible.
Thanks all,

Chris

Sent with BlackBerry Work
(www.blackberry.com)

From: Michael McCann <michael@mmccannlaw.net>
Date: Sunday, Dec 20, 2020, 9:40 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>, Paul Mayhew <pmayhew@baltimorecountymd.gov>, Debra Wiley <dwiley@baltimorecountymd.gov>, Mudd, Christopher D. <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Caution: External Email

Kristen: Jan 25 and 28th are good for us. Thanks.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, December 17, 2020 3:12 PM
To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley

<dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

You're welcome. I only have 1/20, 1/25 or 1/28 all available at 1:30 p.m.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [mailto:michael@mmccannlaw.net]
Sent: Thursday, December 17, 2020 2:54 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks Kristen. I have not checked with my clients, but those dates are not good for me. Can you provide some dates later in the month?

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, December 17, 2020 2:50 PM
To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Ok great. Since the case does not need to meet any posting/advertising requirements, I do have 1/5 and 1/6 both available at 1:30 p.m. and 1/15/21 available all day.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [mailto:michael@mmccannlaw.net]

Sent: Thursday, December 17, 2020 2:46 PM

To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kristen: I think a half day should be fine. Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
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-----Original Message-----

From: Kristen L Lewis [<mailto:klewis@baltimorecountymd.gov>]
Sent: Thursday, December 17, 2020 2:43 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Thank you Judge Mayhew.

Mr. McCann and Mr. Mudd, do you feel that an afternoon will be sufficient or will a full day be needed?

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Paul Mayhew
Sent: Thursday, December 17, 2020 2:41 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Kristen,

No, it does not need to be re-posted. I am only hearing legal arguments of counsel. Please just provide counsel with several available dates in the near future. thanks

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103

Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

-----Original Message-----

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Thursday, December 17, 2020 2:14 PM
To: Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good afternoon,

Judge Mayhew, Will this case need to be advertised and posted? Also, will this case need a full day or would an afternoon be sufficient?

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [<mailto:michael@mmccannlaw.net>]
Sent: Thursday, December 17, 2020 1:57 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Deb: We are waiting to hear from Kristen for potential dates.

Thanks for checking.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Debra Wiley [<mailto:dwiley@baltimorecountymd.gov>]
Sent: Thursday, December 17, 2020 12:50 PM
To: 'Mudd, Christopher D.' <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>
Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good Afternoon,

Please see attached and provide a status update regarding your scheduling of this matter.

Thanks in advance.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Thursday, December 17, 2020 12:50 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 12.17.2020 12:49:33 (-0500)

Queries to: adminhearingscpr@baltimorecountymd.gov

[<http://www.baltimorecountymd.gov/sebin/g/i/signature-covid-mask.gif>] <<https://www.baltimorecountymd.gov/news/coronavirus.html>>

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www.baltimorecountymd.gov <<http://www.baltimorecountymd.gov>>

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Edit Panelist Invitation List

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[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Christopher Mudd</u>	cdmudd@venable.com	1-	English	New York Time	U.S.
☐	<u>Michael McCann</u>	michael@mccannlaw.net	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region Number (with area/city code)

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

Donna Mignon

From: Kristen L Lewis
Sent: Monday, December 21, 2020 8:05 AM
To: Mudd, Christopher D.; Michael McCann; Paul Mayhew; Debra Wiley
Cc: Donna Mignon
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good morning,

I will set in the final date for this case for Thursday, January 28th at 1:30 p.m. This email serves as confirmation. The ALJ's office will send out a webex link to the necessary parties. Thank you all and have a great day.

Kristen Lewis-Coles
PJL - Zoning Review
410-887-3391

From: Mudd, Christopher D. [mailto:CDMudd@Venable.com]
Sent: Sunday, December 20, 2020 12:05 PM
To: Michael McCann <michael@mmccannlaw.net>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from CDMudd@venable.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks for confirming Michael - the early dates were not good for us. So these work. 28th is better, if possible.
Thanks all,

Chris

Sent with BlackBerry Work
(www.blackberry.com)

From: Michael McCann <michael@mmccannlaw.net>
Date: Sunday, Dec 20, 2020, 9:40 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>, Paul Mayhew <pmayhew@baltimorecountymd.gov>, Debra Wiley <dwiley@baltimorecountymd.gov>, Mudd, Christopher D. <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Caution: External Email

Kristen: Jan 25 and 28th are good for us. Thanks.

Michael

Michael R. McCann

Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, December 17, 2020 3:12 PM
To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

You're welcome. I only have 1/20, 1/25 or 1/28 all available at 1:30 p.m.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [mailto:michael@mmccannlaw.net]
Sent: Thursday, December 17, 2020 2:54 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks Kristen. I have not checked with my clients, but those dates are not good for me. Can you provide some dates later in the month?

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]

Sent: Thursday, December 17, 2020 2:50 PM

To: Michael McCann <michael@mmccannlaw.net>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Ok great. Since the case does not need to meet any posting/advertising requirements, I do have 1/5 and 1/6 both available at 1:30 p.m. and 1/15/21 available all day.

Kristen Lewis
PAI - Zoning Review
410-887-3391

-----Original Message-----

From: Michael McCann [mailto:michael@mmccannlaw.net]

Sent: Thursday, December 17, 2020 2:46 PM

To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kristen: I think a half day should be fine. Thank you.

Michael

Michael R. McCann
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204
(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]

Sent: Thursday, December 17, 2020 2:43 PM

To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Thank you Judge Mayhew.

Mr. McCann and Mr. Mudd, do you feel that an afternoon will be sufficient or will a full day be needed?

Kristen Lewis
PAI - Zoning Review

410-887-3391

-----Original Message-----

From: Paul Mayhew

Sent: Thursday, December 17, 2020 2:41 PM

To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Kristen,

No, it does not need to be re-posted. I am only hearing legal arguments of counsel. Please just provide counsel with several available dates in the near future. thanks

Paul M. Mayhew

Managing Administrative Law Judge

105 West Chesapeake Ave., Suite 103

Towson, Maryland 21204

410-887-3868

pmayhew@baltimorecountymd.gov

-----Original Message-----

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Sent: Thursday, December 17, 2020 2:14 PM

To: Michael McCann <michael@mmccannlaw.net>; Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good afternoon,

Judge Mayhew, Will this case need to be advertised and posted? Also, will this case need a full day or would an afternoon be sufficient?

Kristen Lewis

PAI - Zoning Review

410-887-3391

-----Original Message-----

From: Michael McCann [<mailto:michael@mmccannlaw.net>]

Sent: Thursday, December 17, 2020 1:57 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>; 'Mudd, Christopher D.' <CDMudd@Venable.com>

Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>

Subject: RE: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

CAUTION: This message from michael@mmccannlaw.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Deb: We are waiting to hear from Kristen for potential dates.

Thanks for checking.

Michael

Michael R. McCann

Michael R. McCann, PA

118 W. Pennsylvania Avenue

Towson, Maryland 21204

(p) 410-825-2150
(f) 410-825-2149

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-----Original Message-----

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Thursday, December 17, 2020 12:50 PM
To: 'Mudd, Christopher D.' <CDMudd@Venable.com>; Michael McCann <michael@mmccannlaw.net>
Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: Case No. 2019-0510-SPHA - 17 Cliffholme Rd. (Beattie) - Hearing: 12/29/19

Good Afternoon,

Please see attached and provide a status update regarding your scheduling of this matter.

Thanks in advance.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Thursday, December 17, 2020 12:50 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 12.17.2020 12:49:33 (-0500)

Queries to: adminhearingscpr@baltimorecountymd.gov

[<http://www.baltimorecountymd.gov/sebin/g/i/signature-covid-mask.gif>] <<https://www.baltimorecountymd.gov/news/coronavirus.html>>

<<http://www.baltimorecountymd.gov>>

Connect with Baltimore County

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www.baltimorecountymd.gov <<http://www.baltimorecountymd.gov>>

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you believe you have received this message in error, please notify the sender by reply
transmission and delete the message without copying or disclosing it.

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 03 Account Number - 0313013975			
Owner Information					
Owner Name:		JAMES C BEATTIE JR TRUST		Use:	RESIDENTIAL
Mailing Address:		3307 SERENITY WAY		Principal Residence:	NO
		OWINGS MILLS MD 21117-		Deed Reference:	/39701/ 00108
Location & Structure Information					
Premises Address:		17 CLIFFHOLME RD OWINGS MILLS 21117-4320		Legal Description:	5.054 AC NS CLIFFHOLM RD 1700FT E GREENSPRNG VA
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0068	0007	0175	3020014.04	0000	
Town: None				Block:	Lot:
				Assessment Year:	Plat No:
				2020	Plat Ref:
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area	
				5.0540 AC	
County Use				04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2020		07/01/2020	
Land:	98,000	98,000			
Improvements	0	0			
Total:	98,000	98,000		98,000	98,000
Preferential Land:	0	0			
Transfer Information					
Seller: BEATTIE JAMES C, JR		Date: 12/04/2017		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /39701/ 00108		Deed2:	
Seller: GARRISON FOREST SCHOOL INCORPORATED		Date: 02/27/2013		Price: \$336,760	
Type: NON-ARMS LENGTH OTHER		Deed1: /33233/ 00005		Deed2:	
Seller: HOFFMAN KATHARINE MCLANE		Date: 05/22/2012		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /32097/ 00482		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2020		07/01/2021	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

PROTESTANT'S

EXHIBIT NO. 9



APPLICATION FOR BUILDING PERMIT # B956440

INSTRUCTIONS: Complete each of the open fields on the form and either present it to an Engineering Assistant at the Department of Permits, Approvals and Inspections in Room 100, County Office Building, Towson, MD or email the form to paipermittaps@baltimorecountymd.gov prior to your visit so that it will be on file. Please include the full address of the property in the subject field for retrieval. Gray fields on the form are for office use only. Fields marked with an asterisk (*) are required. When you meet with an engineering assistant, they will indicate actions that you will need to take in order to have your building permit approved. Please refer to www.baltimorecountymd.gov/permitprocessing to ensure you bring the right documentation with you to expedite your application process. Do not use this form for fence, electric, or plumbing permits.

OFFICIAL USE ONLY

Date	2/10/19
OE#	E.D. 6/11/19
Permit #	B956440
Receipt #	A 795966
Control #	RA
XRef #	
Fee	12 + 6
Total Paid	18
Paid By	ADP

TYPE OF IMPROVEMENT

- 1. New Construction
- 2. Addition
- 3. Alteration
- 4. Repair
- 5. Wrecking
- 6. Moving
- 7. Other

TYPE OF USE

Residential

- 01. One Family
- 02. Two Family
- 03. Three and Four Families
- 04. Five or More Families
- Number of Units
- 05. Swimming Pool
- 06. Garage
- 07. Other

Non-Residential

- 08. Amusement, Recreation, Place of Assembly
- 09. Church, Other Religious Building
- 11. Industrial, Storage Building
- 12. Parking Garage
- 13. Service Station, Repair Garage
- 14. Hospital, Institutional, Nursing Home
- 15. Office, Bank, Professional
- 16. Public Utility
- 17. School, College, Other Educational
- 19. Store
- Mercantile
- Restaurant
- Type
- 20. Swimming Pool
- Type
- 21. Tank, Tower
- 22. Transient Hotel, Motel Units
- 23. Other

PROPERTY INFORMATION

*Property Address	17 Cliffholme Road	2117-4320
Suite/Space/Floor		
Subdivision	1700 FT E GREENSPRING WEELEY	
*Tax Account Number	0313013975	
District	3	Precinct

OWNER INFORMATION

*First and Last Name	James Beattie Jr	TRUST.
Corporation Name		
*Address	3307 Serenity Way	
*City, State, Zip	Owings Mills, MD. 21117	
*Phone	(410) 949-6305	

APPLICANT INFORMATION

*First and Last Name	Brandon Anpkowiak		
Company	ARC Contracting		
*Address	1117 Furnace Road		
*City, State, Zip	Lithicum Heights, MD. 21090		
*Phone	(443) 623-1367	Email	trey@cartershauling.com
MHIC#	108455	MHBR#	
*Business/Tenant Name	ARC Contracting		
Contractor	Brandon		
*Engineer/Architect	ARC Contracting		
Seller			

I have carefully read this application, know the same is correct and true and that in doing this work all provisions of the Baltimore County Code and appropriate state regulations will be complied with whether herein specified or not, and will request all required inspections.

*Applicant Signature

Original Signature Required

PLANS

CONST	10	PLOT	10	PLAT	10	DATA	10	EL	10	PL	10
Historic District/Building Yes No Will this building have sprinklers? Yes No											
Is this property located in a floodplain? Yes No											

PROTESTANT' S

EXHIBIT NO. 10

FOUNDATION TYPE

- ☐ 1. Slab ☐ 2. Block ☐ 3. Concrete

BASEMENT

- ☐ 1. Full ☐ 2. Partial ☐ 3. None

TYPE OF CONSTRUCTION

- ☐ 1. Masonry
☐ 2. Wood Frame
☐ 3. Structure Steel
☐ 4. Reinforced Concrete

TYPE OF HEATING FUEL

- ☐ 1. Electricity
☐ 2. Gas
☐ 3. Geothermal
☐ 4. Oil

CENTRAL AIR

- ☐ 1. Yes ☐ 2. No

TYPE OF SEWAGE DISPOSAL

- ☐ 1. Public Sewer
 Exists ☐ Proposed
☒ 2. Private System
☒ Septic ☐ Privy
 Exists ☐ Proposed

TYPE OF WATER SUPPLY

- ☐ 1. Public System
 Exists ☐ Proposed
☒ 2. Private System
 Exists ☐ Proposed

ESTIMATED COSTS

Material/Labor:

OWNERSHIP

- ☒ 1. Private ☐ 3. Sale
☐ 2. Public ☐ 4. Rental

RESIDENTIAL CATEGORY

- ☒ 1. Detached
☐ 2. Semi-Detached
☐ 3. Group
☐ 4. Townhouse
☐ 5. Mid-Rise
☐ 6. High-Rise

CORNER LOT

- ☐ 1. Yes ☐ 2. No

GARBAGE DISPOSAL

- ☐ 1. Yes ☐ 2. No

DESCRIBE PROPOSED WORK

Raze SFD 2100sf & shed 150sf, will be torn down. Debris must be hauled to an approved sanitary landfill in accordance with applicable county site regulations. Built 1936. Septic will be backfilled. Pest control letter is attached. Permit expires 90 days from date of issue.

Proposed Use	vacant lot
Existing Use	SFD & shed

Efficiency #	1-Bedroom #	2-Bedroom #	3-Bedroom #	Total Bedrooms
1-Family Bedroom #	Bathroom #	Kitchen #	Powder Rm #	Total Apt/Condos

BUILDING SIZE	
Floor	2250
Width	
Depth	
Height	
Stories	
Lot #s	

LOT SIZE AND SETBACKS	
Size	5.034Ac
Front Street	
Side Street	
Front Setback	
Side Setback	
Side St Setback	
Rear Setback	
Zoning	

Obtain approval signatures from each of the checked departments below:			
Required		Approval Signatures	Date
☐	BLD INSP (Room G21)		
☐	BLD PLAN (Room 120)		
☐	FIRE (Room 120)		
☐	SEDI CTL (Room G21)		
☐	ZONING (Room 111)		
☐	PUB SERV (Room 119)		
☒	ENVRNMNT (Room 319)	OK to file Dan L	2/22/19
☒	PLANNING (Room 101 in the Jefferson Building)	Final T.R.	2/22/19
☐	PERMITS (Room 100)	hold for pick up	
☐			





CLUB DOOR















December 18, 2019

Paul M. Mayhew
Managing Administrative Law Judge
Baltimore County
105 W. Chesapeake Avenue
Towson, MD 21204

Re: Case Number: 2019-0510-SPHA

Dear Judge Mayhew:

In a vote on December 17, the Valleys Planning Council took a position to oppose the waiver requested in the above referenced case, which will be heard on December 19, 2019. We are concerned that too many residents are taking the path of acting first and seeking permission or a remedy after the fact and believe there should be consequences for failing to follow procedures.

In this instance, a property owner is seeking an after-the-fact variance for a large accessory structure that is already constructed and does not meet the regulations for the RC2 zone. Since neighbors find the location objectionable, it is a real problem that could have been avoided had the proper process been followed.

Thank you for taking our concerns and recommendations into consideration during your review.

Sincerely,

Teresa Moore
Executive Director

Prot. 6



APPLICATION FOR FENCE PERMIT
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Permit No. 3928139
Receipt No. A736935
Fee Paid 20.00

Make checks payable to Baltimore County, Maryland --- PERMIT FEES ARE NON-REFUNDABLE .

Tax Account # 03.13.013975 Zone RC2

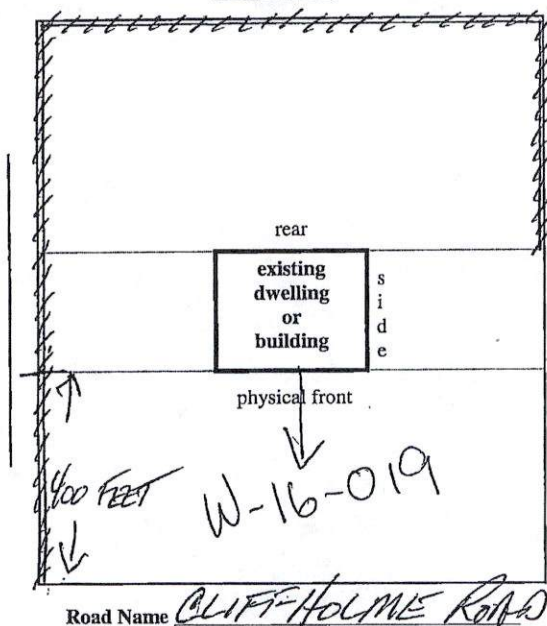
Type or print in ink: 17 CLIFFHOLME ROAD BAYT 21117 Election District 03
Work Site Address
Owner's Name JAMES BEATTIE JR Phone No. (410)949.6308
Mailing Address 7 HAYMARKET CRT BAYT MD 21236
Owner's Agent STEVE BOWERS / Work Fence Phone No. (410)993.0600

COMPLETE SKETCH BELOW OR ATTACH A PLAN THAT CLEARLY SHOWS:

Property line dimensions, easements, existing buildings, road names, and location of alleys.
Proposed fence, total length 1325, height 54", and type WOOD FENCE
Property line setbacks: front 0", sides 0", and 0", and rear 0"
Property use SID Rear/Side yard abuts adjoining front yard: Yes ☐ No ☒

Corner Lot: Yes ☐ No ☒
Historic District: Yes ☐ No ☒

SITE PLAN



FENCE REGULATIONS

Permit required for fences over 42 inches high (measured vertical to ground, even if fence is placed on top of wall). Fences erected within easement must be removed at owner's expense, if required.

Building Code, Part 122:

122.1 Residential Fences -- Maximum height of 42 inches in front yard as determined by BCZR and 6 feet in side and rear yards at the property line. Maximum height of 10 feet in side and rear yards, provided set back 2 feet for vertical foot over 6 feet.

122.2 Commercial Fences -- Maximum height of 12 feet. Building's Engineer may approve higher fence for dangerous, hazardous, or athletic field. Electric and barbed wire fences are only permitted for the retention of livestock and when not a safety hazard to the public. No pointed projections less than 4 feet high. Barbed wire retarding material may be on top of fence that is at least 6 feet, 9 inches high.

Zoning Code (BCZR) (access easements cannot be fenced)

102.5 - Corner Lot -- No fence or other obstruction to vision is permitted higher than 3 feet within 25 feet of a corner of two streets, 15 feet of a street and alley, and 10 feet of two alleys.

427 - Residential Fences in side or rear yard which adjoins residential front yard (setback and maximum height) - fence may not exceed 42" if situated within 10 feet of the adjoining front yard property line, with the exception of 48" pool fence and houses more than 200 feet apart.

Special Fence Regulations: Exist for Historic Properties, the Honeygo Overlay District, RC5, RC6, RC7 and RC8 Zones.

Fence Waivers - Sec. 122.4: All requests for a waiver of heights over 42" in front yard must be submitted to the Building Engineer. Waiver requests require posting and may require a public hearing if height is contested. Contested front yard waiver hearings are held before the Building Engineer. If a zoning variance and fence waiver are required, both hearing Commissioner.

County Code, Section 18-2-601, Obstruction of Drivers' View at Intersection.

Corner Lots: The County Code does not allow a fence on a corner lot to obstruct the vision of drivers. If a sight problem is noted later, the property owner will be required to move the fence. To be safe call 410-887-3554 for a free site inspection before you build the fence. An issued permit does NOT compliance.

PROTESTANT'S

EXHIBIT NO. 7

OWNER/AGENT CERTIFICATION

I have carefully read the above regulations and hereby certify that the proposed fence will be located on private property, and NOT within the 100-year floodplain, will not violate the codes, and that the information supplied is true, complete, and correct.

Steve Bowers 6/30/2016 R. STEVE BOWERS
Applicant Signature Date Print or Type Name

PAI APPROVAL (FOR FENCE ONLY) Authority under Section 500.4, BCZR

[Signature] DSB 7/21/2016
Approval Signature Print Initials Date

APPLICANT - KEEP THIS COPY FOR YOUR PERMANENT RECORDS



APPLICATION FOR FENCE PERMIT
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Permit No. 3950213
Receipt No. 8781033
Fee Paid 20.00

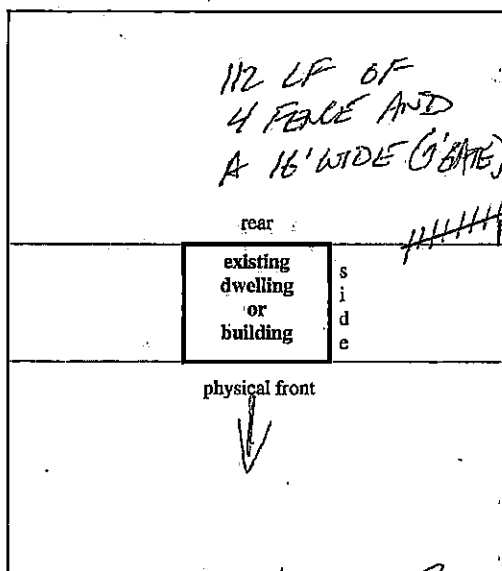
Make checks payable to Baltimore County, Maryland --- PERMIT FEES ARE NON-REFUNDABLE

Tax Account # 03-13-013975 Zone RC 2

Type or print in ink: 17 CLIFF HOLME ROAD BAYT 21117 Election District 03
Work Site Address
Owner's Name JAMES BEATTIE JR Phone No. (410) 949-6308
Mailing Address 7 HAYMARKET CDT BAYT MD 21236
Owner's Agent STEVE BOWERS / Work Fence Phone No. (410) 943-0600

COMPLETE SKETCH BELOW OR ATTACH A PLAN THAT CLEARLY SHOWS: Corner Lot: Yes ☐ No ☒
Property line dimensions, easements, existing buildings, road names, and location of alleys. Historic District: Yes ☐ No ☒
Proposed fence, total length 112', height 4', and type WOOD FENCE
Property line setbacks: front 12', sides 0', and 0', and rear 0'
Property use SFD Rear/Side yard abuts adjoining front yard: Yes ☐ No ☒

SITE PLAN



Road Name CLIFF HOLME ROAD

FENCE REGULATIONS

Permit required for fences over 42 inches high (measured vertical to ground, even if fence is placed on top of wall). Fences erected within easement must be removed at owner's expense, if required.

Building Code, Part 122:

122.1 - Residential Fences -- Maximum height of 42 inches in front yard as determined by BCZR and 6 feet in side and rear yards at the property line. Maximum height of 10 feet in side and rear yards, provided set back 2 feet for vertical foot over 6 feet.

122.2 - Commercial Fences -- Maximum height of 12 feet. Building's Engineer may approve higher fence for dangerous, hazardous, or athletic field. Electric and barbed wire fences are only permitted for the retention of livestock and when not a safety hazard to the public. No pointed projections less than 4 feet high. Barbed wire retarding material may be on top of fence that is at least 6 feet, 9 inches high.

Zoning Code (BCZR) (access easements cannot be fenced)

102.5 - Corner Lot -- No fence or other obstruction to vision is permitted higher than 3 feet within 25 feet of a corner of two streets, 15 feet of a street and alley, and 10 feet of two alleys.

427 - Residential Fences in side or rear yard which adjoins residential front yard (setback and maximum height) - fence may not exceed 42" if situated within 10 feet of the adjoining front yard property line, with the exception of 48" pool fence and houses more than 200 feet apart.

Special Fence Regulations: Exist for Historic Properties, the Honeygo Overlay District, RC5, RC6, RC7 and RC8 Zones.

Fence Waivers - Sec. 122.4: All requests for a waiver of heights over 42" in front yard must be submitted to the Building Engineer. Waiver requests require posting and may require a public hearing if height is contested. Contested front yard waiver hearings are held before the Building Engineer. If a zoning variance and fence waiver are required, both hearings shall be before the Zoning Commissioner.

County Code, Section 18-2-601, Obstruction of Drivers' View at Intersection.

Corner Lots: The County Code does not allow a fence on a corner lot to obstruct the vision of drivers as they reach an intersection. If a sight problem is noted later, the property owner will be required to move the fence. To be safe, contact Traffic Engineering at 410-887-3554 for a free site inspection before you build the fence. An issued permit does NOT certify that the fence will be in compliance.

OWNER/AGENT CERTIFICATION

I have carefully read the above regulations and hereby certify that the proposed fence will be located on private property, and NOT within the 100-year floodplain, will not violate the codes, and that the information supplied is true, complete, and correct.

STEVEN BOWERS 7/19/2018 STEVEN BOWERS
Applicant Signature Date Print or Type Name

PAI APPROVAL (FOR FENCE ONLY) Authority under Section 500.4, BCZR

R. J. Smith, Jr. 7/20/18
Approval Signature Print Initials Date

APPLICANT - KEEP THIS COPY FOR YOUR PERMANENT RECORDS

Case No.: 2019-0510-SPHA 17 Cliffholme Rd

Exhibit Sheet

Petitioner/Developer

Protestants

DM
3-19-21

DM
2/16/21

No. 1		
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CB1900494 Property No. 0313013975 Zoning: _____

Name(s): JAMES C BEATTIE

Address: 3307 SERENITY WAY OWINGS MILLS MD 21117

Violation Location: 17 CLIFFHOLME RD OWINGS MILLS MD 21117

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BALTIMORE COUNTY CODE 2003
BUILDING REGULATIONS - ARTICLE 35
SUBTITLE 3 BUILDING PERMITS
SEC 35-2-304 PENALTY FOR ACTION WITHOUT PERMITS
MUST FILE FOR A PERMIT TO CONSTRUCT, ALTER, REPAIR
REMODEL OR DEMOLISH BUILDING OR STRUCTURE

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: SEP 11th 2019. DATE ISSUED: AUG 28th 2019

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: H.S. PRINT NAME: AARON BAKER

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: _____ DATE ISSUED: _____

INSPECTOR: _____ PRINT NAME: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

Baltimore County - My Neighborhood

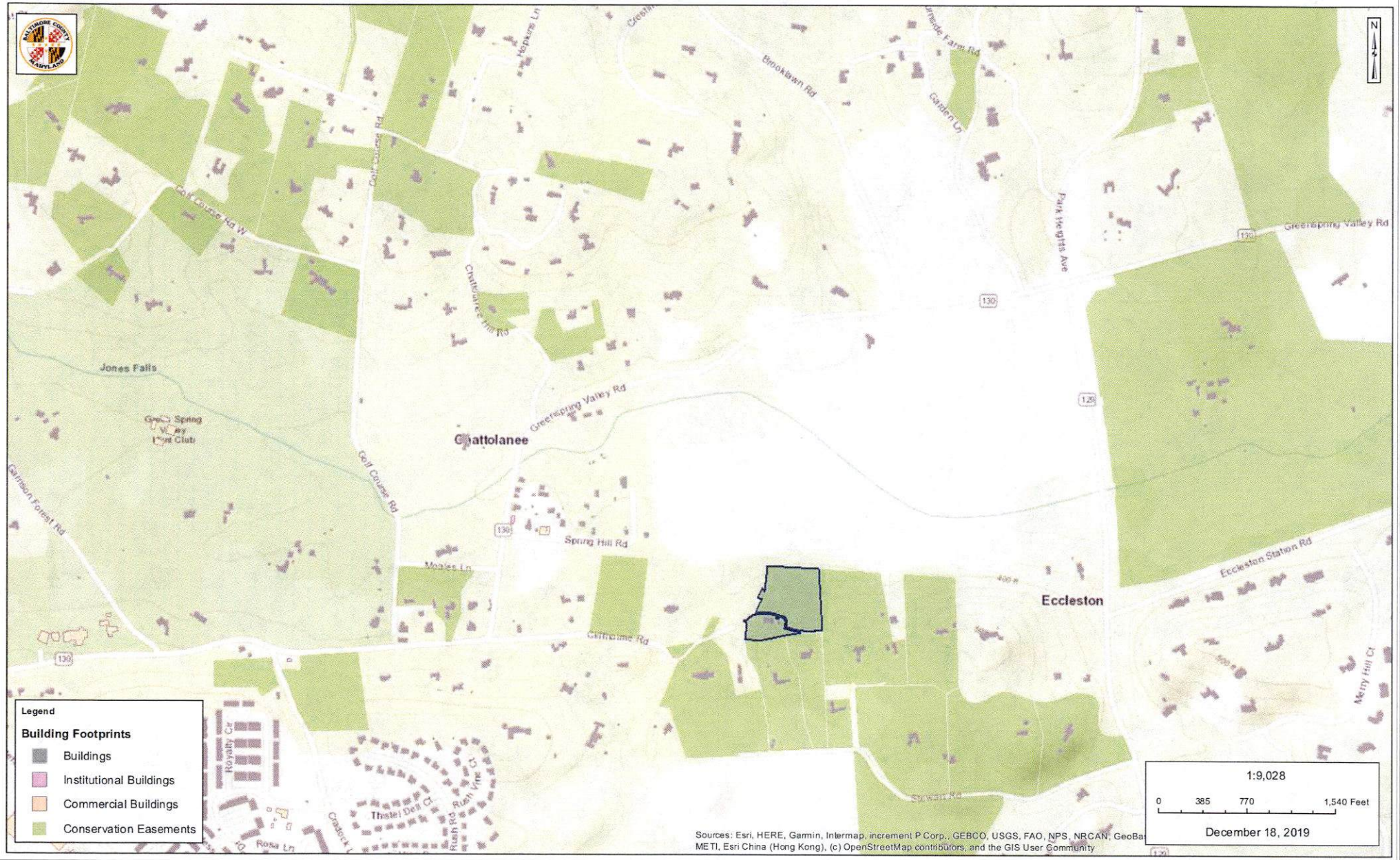


Baltimore County Government, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Page 3

h. i. s. v. d

Baltimore County - My Neighborhood





10/10/10

GENERAL SITE INFORMATION

- Ownership: James C. Beattie Jr., Trust dated May 1, 2017
3307 Serenity Way Owings Mills, MD 21117
- Address: 17 Cliffholme Road Owings Mills MD 21117
- Deed references: JLE 39701/108
- Area: 5.054 acres (per SDAT)
- Tax Map / Parcel / Tax account #: 68 / 175 / 03-13-013975
- Election District: 3 Councilmanic District: 2
ADC Map: 4577C6 GIS tile: 068A1 Position sheet: 40NW23
- The boundary shown hereon is from the deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 068A1 and the information provided by Baltimore County on the internet.
- Improvements: Barn and pasture fencing. The barn and fencing will remain. The house was razed and a new one will be built.

OFFICE OF ZONING

Zoning: RC 2
There have been no zoning cases pertaining to the subject property.

ENVIRONMENTAL IMPACT

Watershed: Jones Falls URDL land type: 1

- The future house will be served by a private septic system and well.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

GROUND WATER MANAGEMENT

The location of the septic reserve area and the proposed well shown hereon was provided by Baltimore County and the owner.

OFFICE OF PLANNING

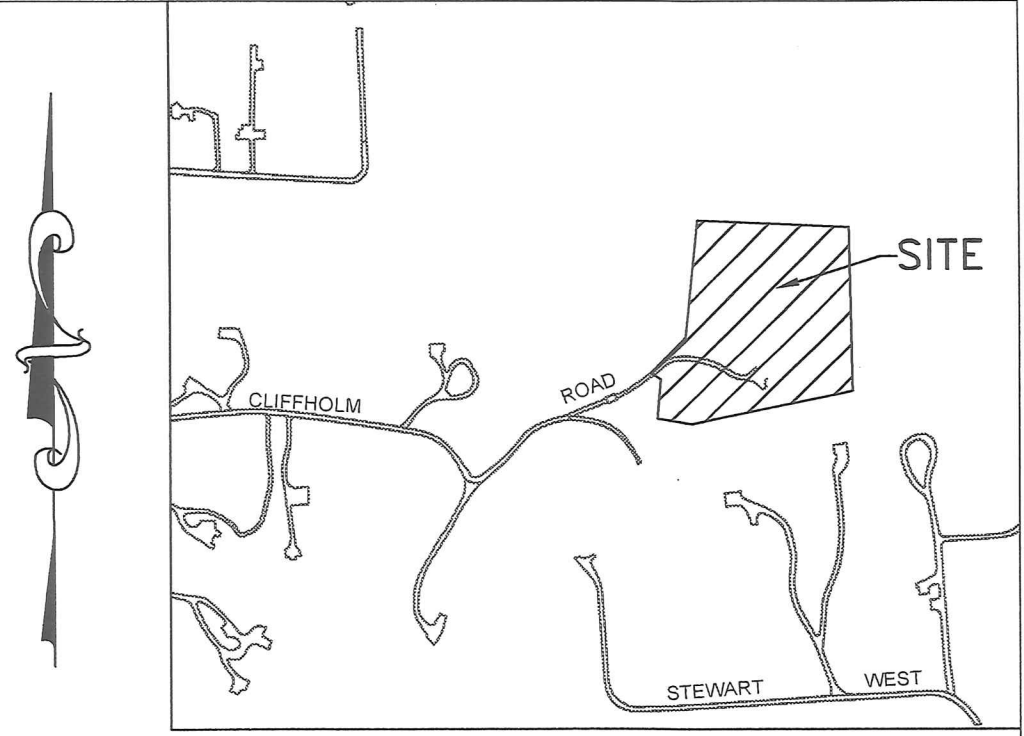
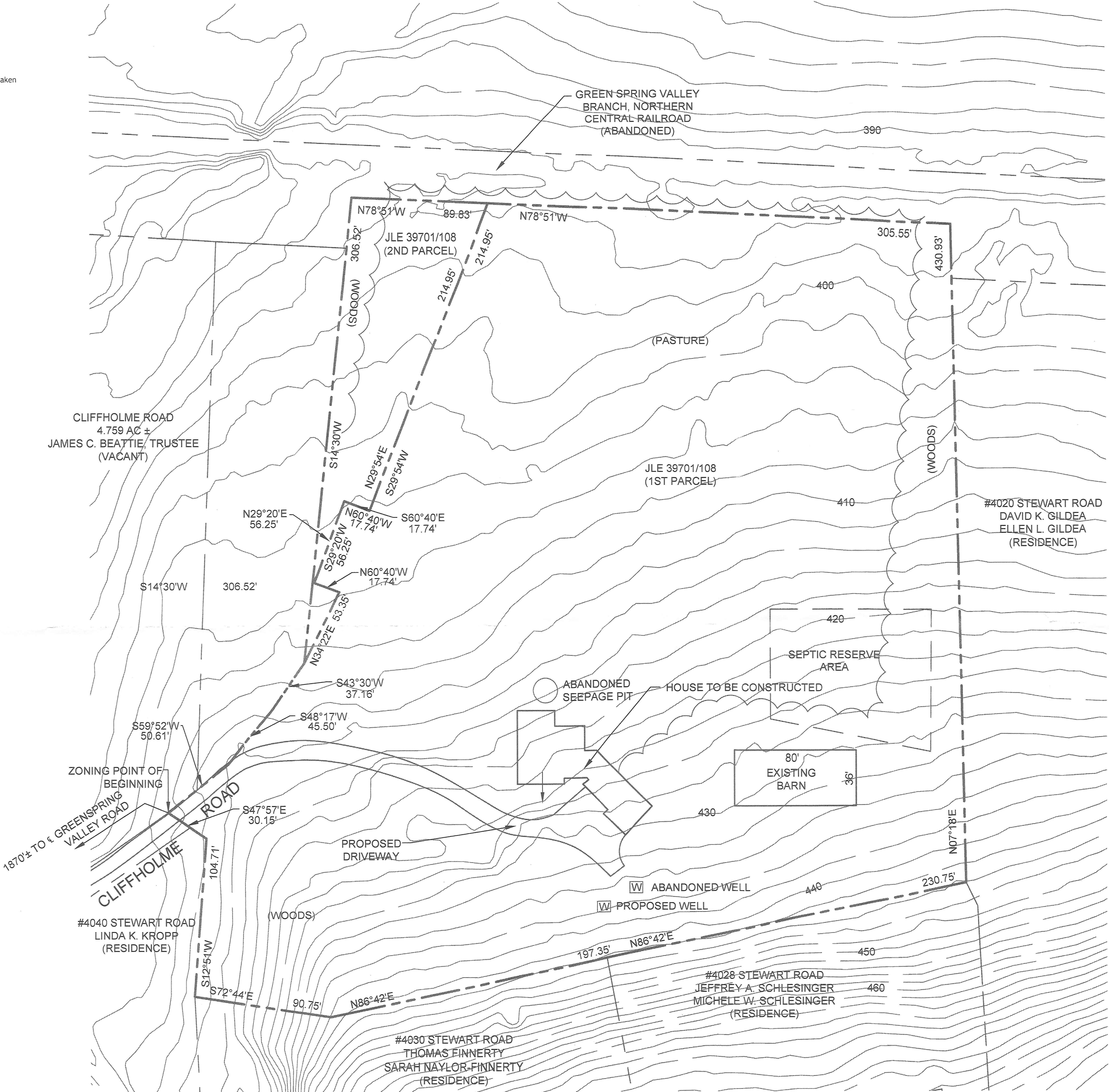
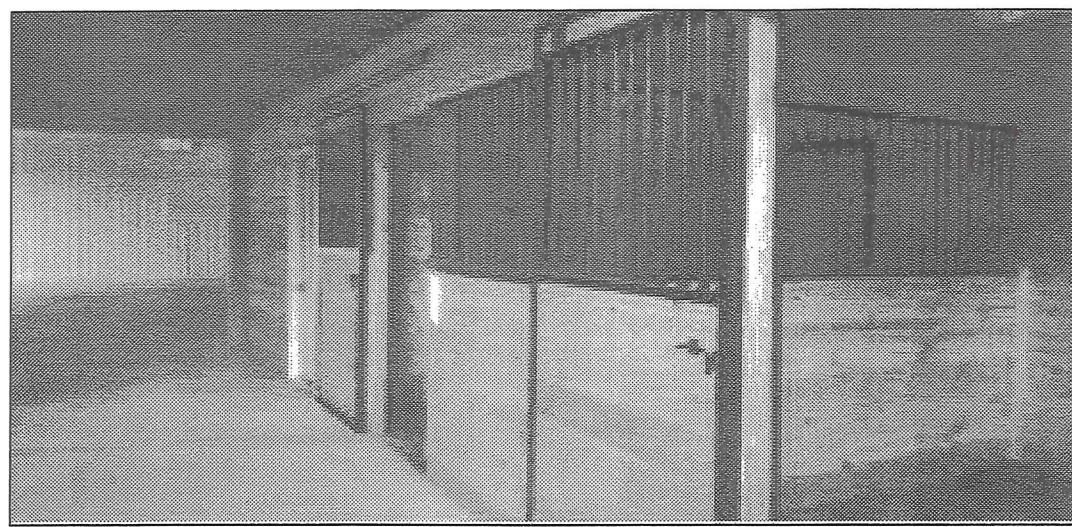
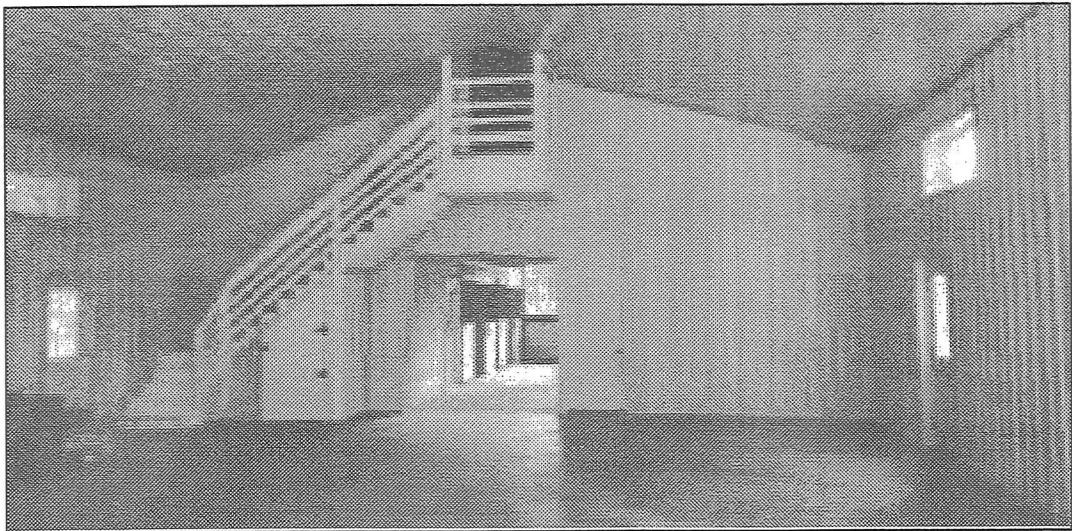
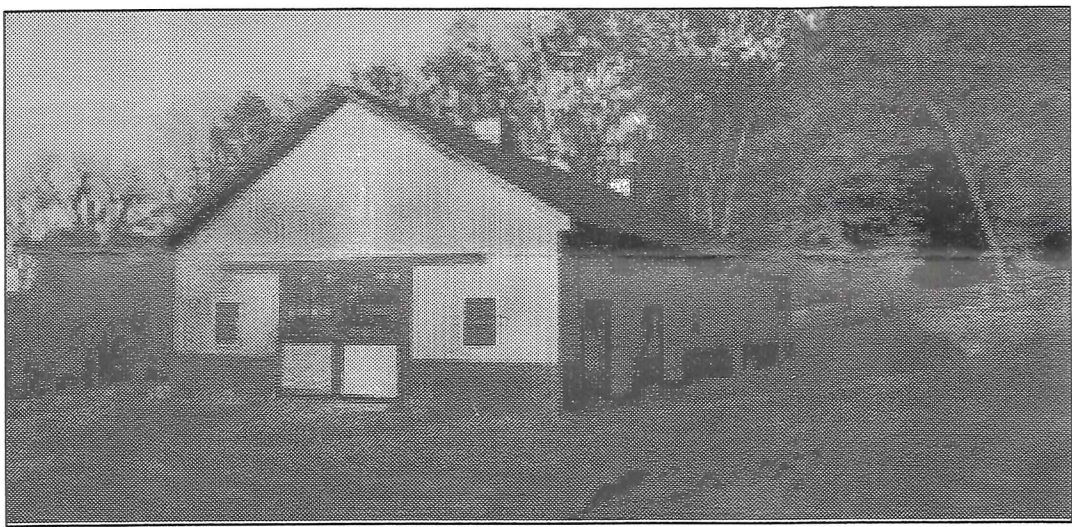
Regional Planning District: Pikesville District Code: 313

- The subject property is in the Greenspring Valley National Register Historic District.

PROPOSED DEVELOPMENT

To construct a house on the subject property and utilize the barn for agricultural use in the near future.

PHOTOS OF EXISTING BARN



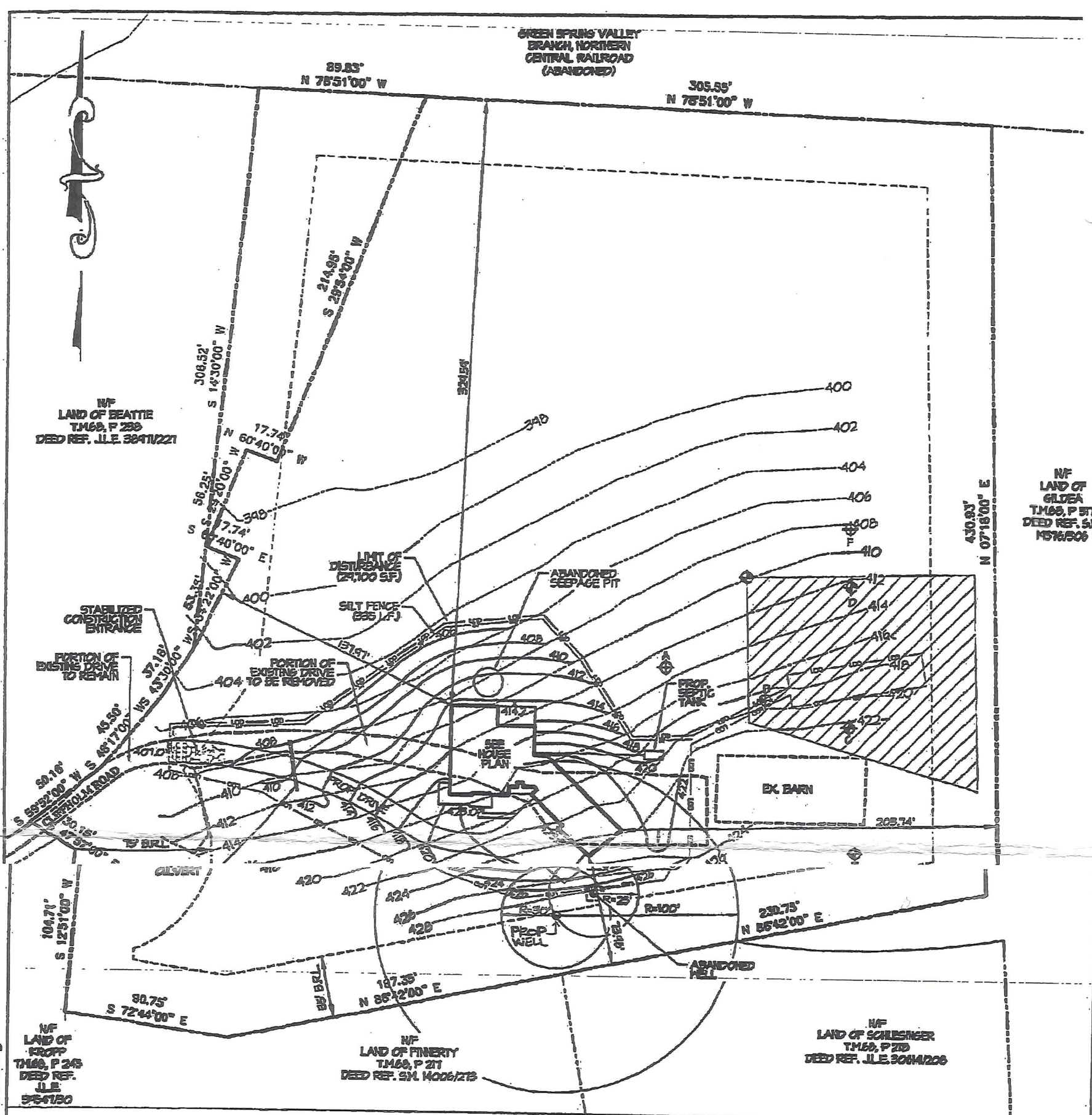
Vicinity Map - Scale: 1" = 500'

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
BEATTIE PROPERTY
#17 CLIFFHOLME ROAD
BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT

Date: 10/13/2019
Scale: 1" = 40'

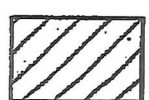




LOT PLAN
SCALE: 1"=60'

NOTES

1. THIS PLAN IS FOR A BUILDING PERMIT ONLY AND WAS PREPARED WITHOUT THE BENEFIT OF A FIELD BOUNDARY SURVEY. THIS PLAN DOES NOT REPRESENT A BOUNDARY SURVEY.
2. HOUSE ELEV. & LOT GRADES MAY REQUIRE MODIFICATIONS
3. EXISTING CONTOURS & FEATURES FROM FIELD RUN SURVEY DATE 06/20/19.
4. CUT = 200 C.Y. / FILL = 450 C.Y. (EARTHWORK VOLUMES ARE ESTIMATED AND MUST BE VERIFIED)
5. PROPERTY LINES FROM DEED J.L.E. 39101/08. A FIELD BOUNDARY SURVEY SHOULD BE PERFORMED PRIOR TO FIELD STAKE-OUT OF HOUSE.
6. ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVAL AND INSPECTIONS.
7. SEPTIC TRENCH LENGTH TO BE DETERMINED AT TIME OF SEPTIC PERMIT APPLICATION.
8. STORMWATER MANAGEMENT SHALL BE ADDRESSED IN ACCORDANCE WITH BALTIMORE COUNTY REQUIREMENTS.
9. EJECTOR PUMP WILL BE REQUIRED FOR SANITARY SERVICE FROM BASEMENT.



DENOTES PROPOSED SEPTIC AREA PER PERCUSSION TEST PLAN BY CHARLES R. CROCKEN & ASSOCIATES, INC. DATED FEB. 2012

- ◆ DENOTES PASSING PERC TEST LOCATION
- ◆ DENOTES FAILING PERC TEST LOCATION

REVISED 01/08/19 TO REVISE HOUSE LOCATION.
REVISED 06/25/19 TO REVISE HOUSE LOCATION.

BAY STATE LAND SERVICES

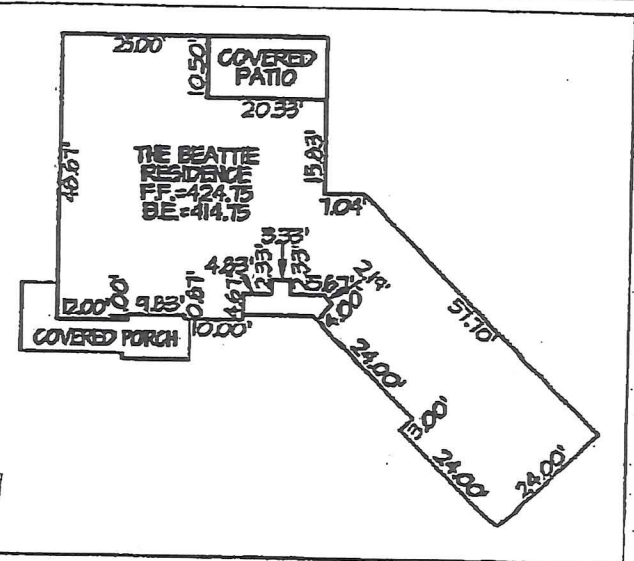
Civil & Structural Engineers
Land Planners & Land Surveyors
Environmental Engineers
Geo-Technical, Materials Testing and Inspections



2012 Rock Spring Road
Suite D
Forest Hill, Maryland 21050
Phone: 410-579-4747
Fax: 410-420-3949
www.baystatelandservices.com

WELL AND SEPTIC ONLY

OK TO FILE:
7/25/19
Dept. of Environmental
Protection and Resource
Management
FINAL PLAN APPROVED:

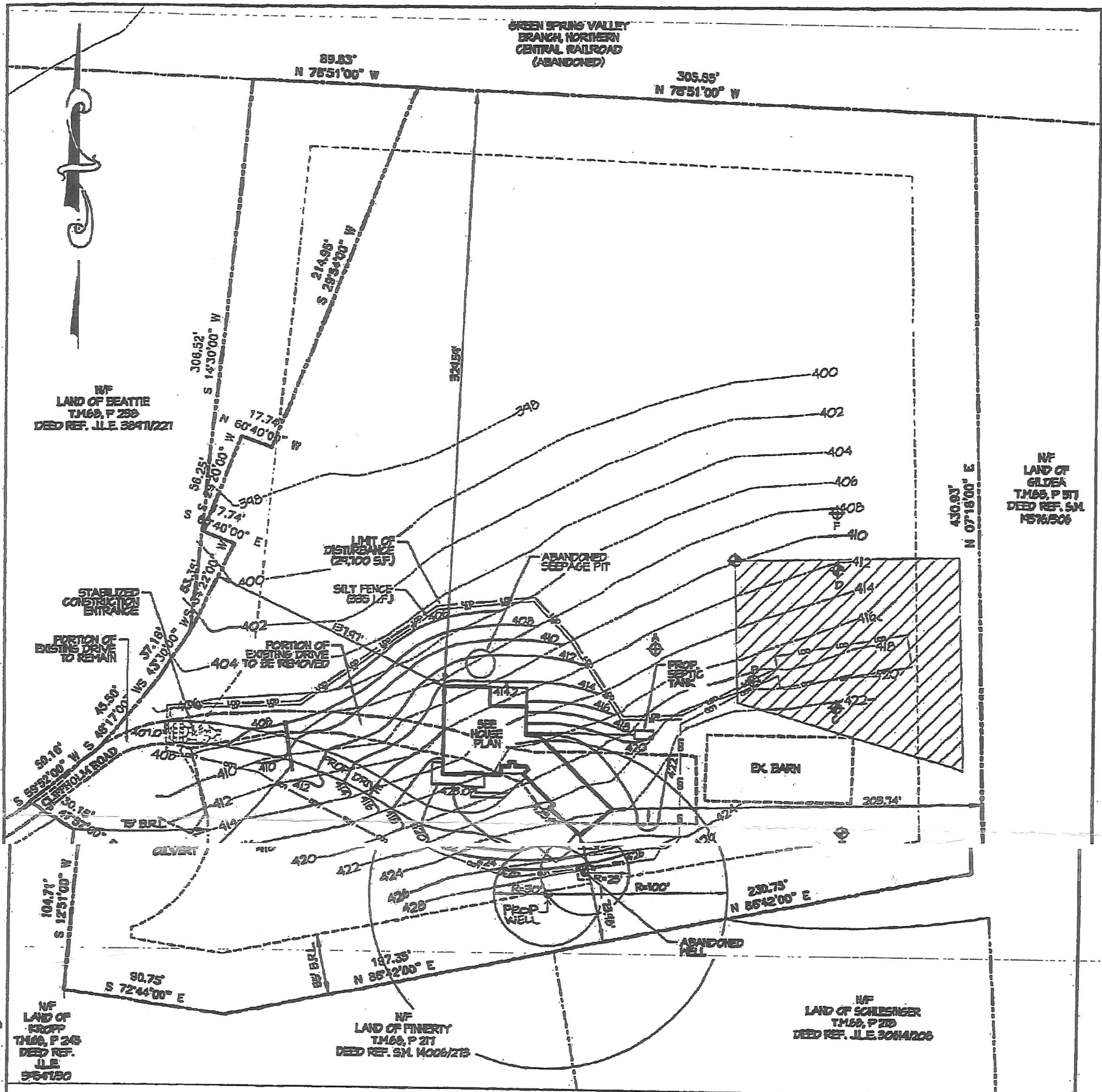


HOUSE PLAN
SCALE: 1"=30'

**SITE PLAN FOR BUILDING PERMIT
#17 CLIFFHOLM ROAD**

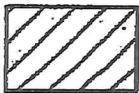
FOR: BATTAGLIA HOMES
THIRD ELECTION DISTRICT
THIRD CONGRESSIONAL DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: AS SHOWN | DATE: 07/08/19 | DRAWN BY: RLS | JOB NO. 19062

Z:\Projects\190001\19062-CLIFFHOLME ROAD-Battaglia, (Beattie)\19062-CLIFFHOLM ROAD (017)-SITE PLAN-REVISED 070119.dwg



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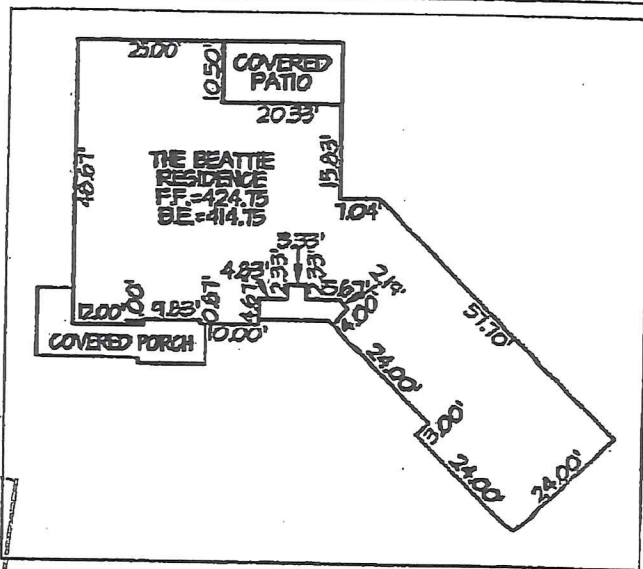
DENOTES PASSING PERC TEST LOCATION



DENOTES FAILING PERC TEST LOCATION

LOT PLAN

SCALE: 1"=60'



HOUSE PLAN

SCALE: 1"=30'

REVISED 07/08/19 TO REVISE HOUSE LOCATION.
REVISED 06/25/19 TO REVISE HOUSE LOCATION.

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WELL AND SEPTIC ONLY

SITE PLAN FOR BUILDING PERMIT

#17 CLIFFHOLM ROAD

FOR: BATTAGLIA HOMES

THIRD ELECTION DISTRICT
THIRD CONGILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

SCALE: AS SHOWN DATE: 07/08/19

DRAWN BY: RLS

JDS NO. 14062

B962119-NR