

M E M O R A N D U M

DATE: February 16, 2021
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0234-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on February 11, 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.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(8632 Windmill Road)

2nd Election District

4th Council District

Dr. Crystal Greene

Legal Owner

Petitioner

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2020-0234-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by Dr. Crystal Greene (the "Petitioner") for property located at 8632 Windmill Rd. (the "Property"). The Petitioner is requesting variance relief from Baltimore County Zoning Regulations ("BCZR") § 427.1 to permit a 6 ft. high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

Although this case was filed as an Administrative Variance, under Baltimore County Code ("BCC"), §32-3-303(b), the owner of 4129 Windmill Circle, Lauretta Holliday, filed a request for a public hearing. Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence. (Pet. Ex. 7). Dr. Crystal Greene appeared at the hearing. Derrick Burnett, President of Owings Mills Overlook Community Association (the "Association") and Lauretta Holliday both appeared in opposition to the Petition.

There was one Zoning Advisory Committee ("ZAC") comment submitted by Department of Environment Protection and Sustainability ("DEPS") which agency did not oppose the requested relief.

ORDER RECEIVED FOR FILING

Date

1/12/21

By

[Signature]

According to the SDAT record in the County file, the Property is approximately 6,969 sq. ft. and is zoned DR 3.5. Dr. Greene testified in regard to the photographs she submitted of her Property. (Pet. Ex. 1-5). The photographs show that a 42 inch tall wood fence exists around one-half of the rear yard which faces the front yard of 4129 Windmill Circle (Lauretta Holliday's house) and which continues along the western side yard facing the sidewalk along Windmill Circle. (See Pet. Ex. 7). This shorter fence is the portion she wishes to replace with a taller one. The remaining one-half of the rear yard and eastern side yard have a 6 ft. +/- high fence.

Dr. Greene and her husband, Michael Ogunbamwo, live with Dr. Greene's two sons whom she described as having special needs. Her oldest son, Kevin Thomas is 28 years old and has an 'impulsive' behavioral disorder which is described in a document entitled "Tier 2 Support Plan". (Pet. Ex. 6). Her younger son, London Greene, is 10 years old, and has Attention Deficit Hyperactivity Disorder (ADHD). Prior to COVID, Dr. Greene testified that Kevin attended a vocational program and London was in school. In the summer, her sons went away to camps.

Because of COVID, both Kevin and London are at home all day. In addition, Dr. Greene works out of her home. She testified that her sons often play basketball in the driveway in the front of the home but she feels it is not safe due to the traffic. She also stated that if it were not for the COVID restrictions keeping her sons at home, she would not be requesting to replace the shorter fence here with a taller one. Specifically, she is concerned that her sons will jump the shorter fence if she does not replace it with a taller one. As a result, she emphasized that the basis for the variance request is out of concern for the safety of her children.

Derrick Burnett testified on behalf of the Association. The Association includes 80 homes in Owings Mills Overlook community and is opposed to the Petition because the Association's Bylaws prohibit property owners from erecting 6 ft. tall fences on corner lots. Mr. Burnett gave a

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Date

11/21/21

By

D. Morgan

copy of the Bylaws to Dr. Greene. Mr. Burnett also testified that he is familiar with Dr. Greene's sons, that they play basketball in the driveway and he does not believe that the boys will jump the shorter fence. In addition, he highlighted that, because the boys play basketball, Dr. Greene would need to install a concrete basketball court in the rear yard. Mr. Burnett believes that granting this Petition will set a precedent for other owners in the neighborhood to request the same.

Lauretta Holliday testified that she has lived in her home for 30 years. She is opposed to the Petition because replacing the shorter fence with a 6 ft. privacy fence will block the view of cars exiting her driveway. Ms. Holliday presented photographs of the view from her driveway. (Prot. Ex. 1-4). Ms. Holliday acknowledged that Dr. Greene did come to her to discuss the Petition and, at that time, Ms. Holliday requested that Dr. Greene show transparent fencing options.

While I am sympathetic to Dr. Greene's concern regarding the safety of her sons and the difficulty of caring for them while she is working at home during a pandemic, based on the evidence presented and the law governing variances, I am not able to grant this variance. A variance request involves a two-step process, summarized as follows:

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

Cromwell v. Ward, 102 Md. App. 691 (1995). In order to grant a variance, there must first be evidence of uniqueness of the physical characteristics of the property at issue as compared to other properties in the neighborhood. In requiring a pre-requisite finding of "uniqueness", the Court in *Cromwell* defined the term and stated:

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent

ORDER RECEIVED FOR FILING

Date

11/2/21

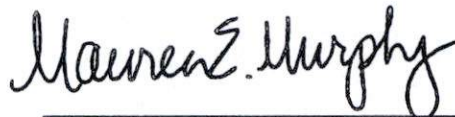
By

J. Magnan

characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects in bearing or parting walls....

Id. at 710. The *Cromwell* Court held that if no evidence is presented as to uniqueness, there is no analysis of the 'practical difficulty' factor. *Id.* at 698. Because there was no evidence presented here of this Property's uniqueness, the Petition for Variance must be denied.

THEREFORE, IT IS ORDERED, this 12th day of **January 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §427.1 to permit a 6 ft. high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches is hereby DENIED.



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING

Date

By

1/12/21

J. Mignon



ADMINISTRATIVE FOR ADMINISTRATIVE VARIANCE

To be filed with the Department of

To the Office of Administrative Hearings for

Address 8632 WINDMILL RD. RANDALLSTOWN, MD. 21133

Deed Reference 16246 / 00358

Owner(s) Printed Name(s) DR CRYSTAL GREENE

County for the property located at:

Currently zoned DR 3.5

10 Digit Tax Account # 2100008283

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s) 427.1

BCZR: 427.1 → To permit a 6 foot high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Crystal L. Greene

Name #1 - Type or Print

Name #2 - Type or Print

[Signature]

Signature #1

Signature #2

8632 WINDMILL RD. RANDALLSTOWN, MD.

Mailing Address

City

State

21133

Zip Code

443-630-0306

Telephone #

DrEwellness@gmail.com

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

DR. CRYSTAL GREENE

Name - Type or Print

[Signature]

Signature

8632 WINDMILL RD. RANDALLSTOWN, MD

Mailing Address

State

21133

Zip Code

443-630-0306

Telephone #

DrEwellness@gmail.com

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0234-A

Filing Date 9/16/20

Estimated Posting Date 9/27/20

Reviewer JS

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 81032 WINDMILL RD. RANDALLSTOWN, MD. 21133
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

I LIVE ON A CORNER LOT. I have two sons with special needs. All of the activities that they normally participate in are closed due to COVID-19. My backyard is the outdoor area, where they can play safely. However they are not safe or secure there because we have a 42 inch fence on one side of the yard. My oldest son has Prader-Willi Syndrome. He jumps the fence and elopes. His last incident of elopement he was found 15 miles from home. My youngest son who has ADHD is impulsive. He jumps the fence to chase his ball and was almost hit by a car. I would like to replace the existing fence with a 172 feet of 6 foot vinyl privacy fence. This will allow my disabled special needs sons with a secure place to play. Again, I'm requesting a variance permitting me to have a 6 foot fence (172ft) in my rear yard.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Crystal Greene
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Crystal Greene
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

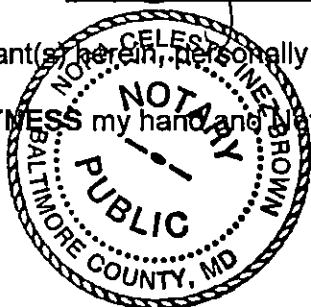
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of Sept., 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Crystal Greene

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

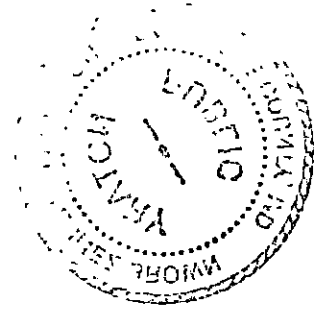
AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

10/25/2023

My Commission Expires



ZONING PROPERTY DESCRIPTION

PART A

ZONING PROPERTY DESCRIPTION for 8632 Windmill Road known as Lot No. 37 as shown on the subdivision Plat entitled, "Revised Plat One of Two, Formerly Winands Valley Estates now known as Owings Overlook, which Plat is recorded among the Land Records of Baltimore County Maryland as Plat No. S.M. 62, folio 141.

Beginning at a point on the North side of Windmill Road which is 60 feet wide at a distance of 65 feet North of the centerline of the nearest improved intersecting street Windmill Circle which is 50 feet wide.

PART B

OPTION 2 (Subdivision Lot- lot is part of record plat)

Being Lot #37 in the subdivision Owings Overlook as recorded in Baltimore County Plat Book #62, Folio #141, containing 6969 square feet. Located in the 2nd Election District and 2nd Council District.

2020-0234-A

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Page 1 of 1

PUBLISHER'S AFFIDAVIT

Order #: 11943727
Case #: 2020-0234-A
Description:

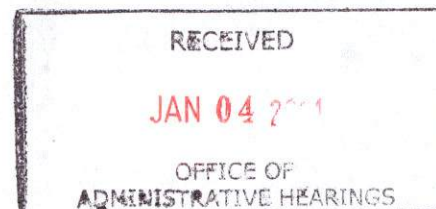
NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0234-A

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

12/18/2020



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 virtual hearing on the property identified herein as follows

CASE NUMBER: 2020-0234-A

8632 Windmill Road

Neast corner of intersection of Windmill Road and Windmill Circle

2nd Election District - 4th Councilmanic District

Legal Owners: Crystal Greene

Variance to permit a 6 ft. high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

Hearing: Thursday, January 7, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

d18

1-17-21
10 am

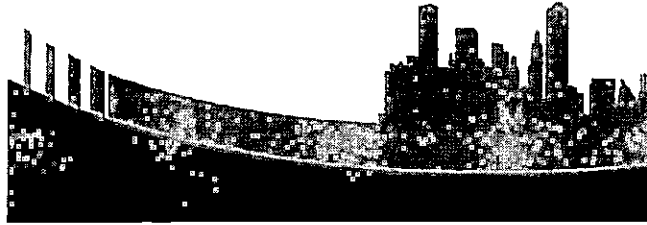
Donna Mignon

From: Bruce Doak <bdoak@bruceedoakconsulting.com>
Sent: Saturday, January 2, 2021 4:09 PM
To: Donna Mignon
Cc: Administrative Hearings
Subject: Case #2020-0234-A Posting cert
Attachments: Posting cert 1 02 21.pdf

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

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





CERTIFICATE OF POSTING

December 19, 2020

January 2, 2021 amended for second inspection.

Re:

Zoning Case No. 2020- 0234- A

Legal Owner: Greene

Hearing date: January 7, 2021

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

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 8632 Windmill Road.

The signs were initially posted on December 19, 2020.

The subject property was also inspected on January 2, 2021.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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. 2020-0234-A

8632 Windmill Road

**THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY
AUTHORITY OF THE ZONING ACT AND REGULATIONS OF
BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE
PROPERTY IDENTIFIED.**

DATE & TIME: THURSDAY JANUARY 7, 2020 10:00 AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND
THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-887-3669 EXT. 0.**

REQUEST:

**VARIANCE TO PERMIT A 6 FT. HIGH FENCE TO BE ERECTED
IN THE SIDE AND REAR YARD WHICH ADJUTS THE FRONT
YARD OF A NEIGHBORING PROPERTY. IN LIEU OF THE
MAXIMUM ALLOWED FENCE HEIGHT OF 42 INCHES.**

ZONING NOTICE

CASE NO. 2020-0234-A

8632 Winmill Road

**THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY
AUTHORITY OF THE ZONING ACT AND REGULATIONS OF
BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE
PROPERTY IDENTIFIED.**

DATE & TIME: THURSDAY JANUARY 7, 2020 10:00 AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND
THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-867-3800, EXT. 0**

REQUEST:

**VARIANCE TO PERMIT A 6 FT. HIGH FENCE TO BE ERECTED
IN THE SIDE AND REAR YARD WHICH ABUTS THE FRONT
YARD OF A NEIGHBORING PROPERTY, IN LIEU OF THE
MAXIMUM ALLOWED FENCE HEIGHT OF 42 INCHES.**



✓ 1 tr
✓ order

✓
JOHN A. OLSZEWSKI, JR.
County Executive

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

December 10, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0234-A

8632 Windmill Road

N/east corner of intersection of Windmill Road and Windmill Circle

2nd Election District – 4th Councilmanic District

Legal Owners: Crystal Greene

Variance to permit a 6 ft. high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

Hearing: Thursday, January 7, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director

MM:kl

C: Crystal Greene, 8632 Windmill Road, Randallstown 21133
Mr. & Mrs. Holliday, 4129 Windmill Circle, Randallstown 21133

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 19, 2020

DATE Oct 1, 2020

M E M O

TO Zoning Review Officer
FROM

LAURETTA A. HOLLIDAY

Due to issues of slow mail, please confirm receipt of this Hearing form via email!

LAHolliday@AOL.com
or Text 443-794-6192

Thank you



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2020-0234-A

Property Address: ~~429~~ 8632 Windmill Rd
Randallstown, MD 21133

Legal Owners (Petitioners): _____

TO THE ADMINISTRATIVE LAW JUDGE
OF BALTIMORE COUNTY:

I/We Lauretta + Kenneth Holliday
Name - Type or Print

the ☒ Owners or ☐ Occupants of
4129 Windmill circle
Address

Randallstown, MD 21133
City State Zip Code

443-794-6192
Telephone Number

which is located approximately 10 feet from the property (must be within 1000 ft. of subject property), which is the subject of the above petition, do hereby submit a formal demand for a public hearing regarding this matter.
I/WE HAVE SUBMITTED THE REQUIRED PROCESSING FEE FOR THIS DEMAND AND REQUEST THAT A HEARING BE SCHEDULED FOR THE SUBJECT PETITION.

Lauretta G. Holliday 10/01/20
Signature Date
Kenneth J. Holliday 10/01/20
Signature Date



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 10, 2020

NOTICE OF ZONING HEARING

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8632 Windmill Road

N/east corner of intersection of Windmill Road and Windmill Circle

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Hearing: Thursday, January 7, 2020 at 10:00 a.m.

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

Michael Mallinoff
Director

MM:kl

C: Crystal Greene, 8632 Windmill Road, Randallstown 21133
Mr. & Mrs. Holliday, 4129 Windmill Circle, Randallstown 21133

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 19, 2020

TO: THE DAILY RECORD
Friday, December 18, 2020 - Issue

Please forward billing to:
Crystal Greene
8632 Windmill Road
Randallstown, MD 21133

443-630-3036

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0234-A

8632 Windmill Road

N/east corner of intersection of Windmill Road and Windmill Circle

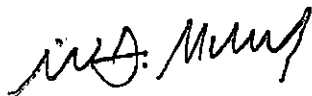
2nd Election District – 4th Councilmanic District

Legal Owners: Crystal Greene

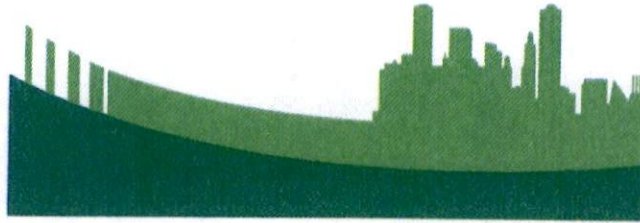
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For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County



CERTIFICATE OF POSTING

September 25, 2020

_____ amended for second inspection

Re:

Zoning Case No. 2020- 0234- A

Legal Owner: Greene

Closing date: October 12, 2020

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

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 **8632 Windmill Road**.

The signs were initially posted on **September 25 2020**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak", with a stylized flourish at the end.

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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

ADMINISTRATIVE VARIANCE

CASE NO. 2020-0234-A

8632 Windmill ROAD

**REQUEST: TO PERMIT A 6 FOOT HIGH FENCE
TO BE ERRECTED IN THE SIDE AND REAR YARD
WHICH ABUTS THE FRONT YARD OF A
NEIGHBORING PROPERTY, IN LIEU OF THE
MAXIMUM ALLOWED FENCE HEIGHT OF 42
INCHES.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE OCTOBER 12, 2020.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2020-0234-A

8632 Windmill ROAD

**REQUEST: TO PERMIT A 6 FOOT HIGH FENCE
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THE ZONING OFFICE BEFORE OCTOBER 12, 2020.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0234 -A Address 8632 WINDMILL RD, 21133

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/16/20 Posting Date: 9/27/20 Closing Date: 10/12/20

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2020- 0234 -A Address 8632 WINDMILL RD, 21133

Petitioner's Name GREENE Telephone 443-865-6665

Posting Date: 9/27/20 Closing Date: 10/12/20

Wording for Sign: _____

_____ To permit a 6 foot high fence to be erected in the side and rear yard which abuts the front yard of a _____
_____ neighboring property, in lieu of the maximum allowed fence height of 42 inches. _____

Revised 6/30/2018

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2020-0234-A

Property Address: 8632 WINDMILL RD RANDALLSTOWN, MD. 21133

Property Description: _____

Legal Owners (Petitioners): CRYSTAL L. Greene

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: DR. CRYSTAL GREENE

Company/Firm (if applicable): _____

Address: 8632 WINDMILL RD
RANDALLSTOWN, MD. 21133

Telephone Number: (410) 865-6605



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 28, 2020

Dr. Crystal Greene,
8632 Windmill Road
Randallstown MD 21133

RE: Case Number: 2020-0234-A, 8632 Windmill 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 September 16, 2020. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over the "Very truly yours," text.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: September 23, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0234-A
Address 8632 Windmill Road
(Greene Property)

Zoning Advisory Committee Meeting of **September 21, 2020**.

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

Reviewer: Steve Ford

1/7/21
@10-

CASE NO. 2020-0234-A

CHECKLIST

Comment
Received

Formal
Demand
Filed
Department

Support/Oppose/
Conditions/
Comments/
No Comment

9/23 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: 12/18/20

SIGN POSTING (1st) Date: 12-19-20 by Doak

SIGN POSTING (2nd) Date: 1-2-21 by "

PEOPLE'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.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Dr. Crystal Greene	drehwellness@gmail.com	1-	New York Time	English	U.S.
Lauretta Holliday	laholliday@aol.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

OK

1/11/21

Derrick
Burnett,
President of
Owings Mills
Overlook
Comm.
Assoc.

Per Maureen
Lauretta Holliday
had the Assoc.
testify & she will send
a copy to them
since we don't have address.

IN RE: PETITION FOR VARIANCE

(8632 Windmill Road)

2nd Election District

4th Council District

Dr. Crystal Greene

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2020-0234-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by Dr. Crystal Greene (the “Petitioner”) for property located at 8632 Windmill Rd. (the “Property”). The Petitioner is requesting variance relief from Baltimore County Zoning Regulations (“BCZR”) § 427.1 to permit a 6 ft. high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

Although this case was filed as an Administrative Variance, under Baltimore County Code (“BCC”), §32-3-303(b), the owner of 4129 Windmill Circle, Laretta Holliday, filed a request for a public hearing. Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence. (Pet. Ex. 7). Dr. Crystal Greene appeared at the hearing. Derrick Burnett, President of Owings Mills Overlook Community Association (the “Association”) and Laretta Holliday both appeared in opposition to the Petition.

There was one Zoning Advisory Committee (“ZAC”) comment submitted by Department of Environment Protection and Sustainability (“DEPS”) which agency did not oppose the requested relief.

According to the SDAT record in the County file, the Property is approximately 6,969 sq. ft. and is zoned DR 3.5. Dr. Greene testified in regard to the photographs she submitted of her Property. (Pet. Ex. 1-5). The photographs show that a 42 inch tall wood fence exists around one-half of the rear yard which faces the front yard of 4129 Windmill Circle (Lauretta Holliday's house) and which continues along the western side yard facing the sidewalk along Windmill Circle. (See Pet. Ex. 7). This shorter fence is the portion she wishes to replace with a taller one. The remaining one-half of the rear yard and eastern side yard have a 6 ft. +/- high fence.

Dr. Greene and her husband, Michael Ogunbamwo, live with Dr. Greene's two sons whom she described as having special needs. Her oldest son, Kevin Thomas is 28 years old and has an 'impulsive' behavioral disorder which is described in a document entitled "Tier 2 Support Plan". (Pet. Ex. 6). Her younger son, London Greene, is 10 years old, and has Attention Deficit Hyperactivity Disorder (ADHD). Prior to COVID, Dr. Greene testified that Kevin attended a vocational program and London was in school. In the summer, her sons went away to camps.

Because of COVID, both Kevin and London are at home all day. In addition, Dr. Greene works out of her home. She testified that her sons often play basketball in the driveway in the front of the home but she feels it is not safe due to the traffic. She also stated that if it were not for the COVID restrictions keeping her sons at home, she would not be requesting to replace the shorter fence here with a taller one. Specifically, she is concerned that her sons will jump the shorter fence if she does not replace it with a taller one. As a result, she emphasized that the basis for the variance request is out of concern for the safety of her children.

Derrick Burnett testified on behalf of the Association. The Association includes 80 homes in Owings Mills Overlook community and is opposed to the Petition because the Association's Bylaws prohibit property owners from erecting 6 ft. tall fences on corner lots. Mr. Burnett gave a

copy of the Bylaws to Dr. Greene. Mr. Burnett also testified that he is familiar with Dr. Greene's sons, that they play basketball in the driveway and he does not believe that the boys will jump the shorter fence. In addition, he highlighted that, because the boys play basketball, Dr. Greene would need to install a concrete basketball court in the rear yard. Mr. Burnett believes that granting this Petition will set a precedent for other owners in the neighborhood to request the same.

Lauretta Holliday testified that she has lived in her home for 30 years. She is opposed to the Petition because replacing the shorter fence with a 6 ft. privacy fence will block the view of cars exiting her driveway. Ms. Holliday presented photographs of the view from her driveway. (Prot. Ex. 1-4). Ms. Holliday acknowledged that Dr. Greene did come to her to discuss the Petition and, at that time, Ms. Holliday requested that Dr. Greene show transparent fencing options.

While I am sympathetic to Dr. Greene's concern regarding the safety of her sons and the difficulty of caring for them while she is working at home during a pandemic, based on the evidence presented and the law governing variances, I am not able to grant this variance. A variance request involves a two-step process, summarized as follows:

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

Cromwell v. Ward, 102 Md. App. 691 (1995). In order to grant a variance, there must first be evidence of uniqueness of the physical characteristics of the property at issue as compared to other properties in the neighborhood. In requiring a pre-requisite finding of "uniqueness", the Court in *Cromwell* defined the term and stated:

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property

for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects in bearing or parting walls....

Id. at 710. The *Cromwell* Court held that if no evidence is presented as to uniqueness, there is no analysis of the ‘practical difficulty’ factor. *Id.* at 698. Because there was no evidence presented here of this Property’s uniqueness, the Petition for Variance must be denied.

THEREFORE, IT IS ORDERED, this 12th day of **January 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §427.1 to permit a 6 ft. high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches is hereby DENIED.

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

Donna Mignon

From: Dr Chris Greene <drehwellness@gmail.com>
Sent: Monday, January 4, 2021 8:55 AM
To: Donna Mignon
Subject: Re: 8632 Windmill Road

CAUTION: This message from drehwellness@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 Morning,

Yes, sending today.
Thanks for the reminder.

Dr. Greene

On Mon, Jan 4, 2021 at 8:53 AM Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Happy New Year Dr. Greene,

This is just a reminder that we need your exhibits emailed to us for the hearing that is scheduled for January 7, 2021 at 10:00 a.m.

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



www.baltimorecountymd.gov

Dr. Crystal Greene
Crystal Greene, DNP, AGPCNP-BC
Exclusively Health & Wellness, Inc.
2 Crain Highway S. 2B
Glen Burnie, Maryland 21061

2

Donna Mignon

From: Donna Mignon
Sent: Monday, January 4, 2021 8:54 AM
To: 'drehwellness@gmail.com'
Subject: 8632 Windmill Road

Happy New Year Dr. Greene,

This is just a reminder that we need your exhibits emailed to us for the hearing that is scheduled for January 7, 2021 at 10:00 a.m.

Thank you.

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

Donna Mignon

From: Donna Mignon
Sent: Tuesday, December 22, 2020 2:00 PM
To: 'drehwellness@gmail.com'
Subject: Case No: 2020-0234-A 8632 Windmill Road

Good Afternoon,

As you are aware, a virtual webex hearing has been scheduled for January 7, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

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

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 02 Account Number - 2100008283		
Owner Information		
Owner Name:	GREENE CRYSTAL L	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	8632 WINDMILL RD RANDALLSTOWN MD 21133-4445	Deed Reference: /16246/ 00358
Location & Structure Information		
Premises Address:	8632 WINDMILL RD RANDALLSTOWN 21133-4445	Legal Description: .143 AC 8632 WINDMILL RD OWINGS OVERLOOK
Map:	Grid:	Parcel:
0077	0004	1340
Neighborhood:	Subdivision:	Section:
2040046.04	0000	
Block:	Lot:	Assessment Year:
	37	2019
Plat No:	1	
Plat Ref:	0062/ 0141	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1991	2,069 SF	650 SF
Property Land Area	County Use	
6,969 SF	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	4	4 full
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2019	07/01/2020
		As of
		07/01/2021
Land:	68,400	72,900
Improvements	171,500	224,400
Total:	239,900	297,300
Preferential Land:	0	0
Transfer Information		
Seller: REID KULAMAE O	Date: 03/26/2002	Price: \$199,000
Type: ARMS LENGTH IMPROVED	Deed1: /16246/ 00358	Deed2:
Seller: RYLAND GROUP INC	Date: 05/30/1991	Price: \$160,935
Type: ARMS LENGTH IMPROVED	Deed1: /08802/ 00755	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	0.00
State:	000	0.00
Municipal:	000	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:		

Event Information

Event: Zoning Hearing - Case No: 2020-0234-A 8632 Windmill Road
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e709163410032ab279a2dc3bf21fcee5>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e0be6b414307160ad5079db52b3f9a8b6>
Date and time: Thursday, January 7, 2021 10:00 am
 Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
 Case No: 2020-0234-A
 Address: 8632 Windmill Road
 Legal Owners: Crystal Greene
Event number: 180 241 4762
Event password: 1234
Host key: 589169
Alternate Host: Deb Wiley, Henry Ayakwah, Maureen Murphy
Panelist Info:
Panelist password:
Panelist numeric password: 466589
Video Address: 1802414762@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: 180 241 4762
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
After registration, go to URL:

Start Ev
 You can
 event by
 Start No

Sta

Send Ev
 You can
 emails b
 Send En

Send

Manage Registrations

Delete Event

Edit Event

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.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Dr. Crystal Greene	drehwellness@gmail.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.





ADMINISTRATIVE

FOR ADMINISTRATIVE VARIANCE

To be filed with the Department of

To the Office of Administrative Hearings for

Address 8632 WINDMILL RD. RANDALLSTOWN

Deed Reference 16246100358

Owner(s) Printed Name(s) DR CRYSTAL GREENE

ION

IVE SPECIAL HEARING

s and Inspections

County for the property located at:

Currently zoned DR 3.5

Digit Tax Account # 2100008283

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s) 427.1

BCZR: 427.1 → To permit a 6 foot high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Crystal K. Greene,

Name #1 - Type or Print

Name #2 - Type or Print

[Signature]

Signature #1

Signature #2

8632 WINDMILL RD. RANDALLSTOWN, MD.

Mailing Address

City

State

21133

Zip Code

443-630-~~0306~~

Telephone #

DrEwellness@gmail.com

Email Address

Attorney for Owner(s)/Petitioner(s):

NA

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

DR. CRYSTAL GREENE

Name - Type or Print

[Signature]

Signature

8632 WINDMILL RD. RANDALLSTOWN, MD

Mailing Address

State

21133

Zip Code

443-630-~~0306~~

Telephone #

DrEwellness@gmail.com

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0234-A

Filing Date 9/16/20

Estimated Posting Date 9/27/20

Reviewer JS

Rev 5/5/2016

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - Case No: 2020-0234-A 8632 Windmill Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e328bf670a89a0111a58c085840fdd59e>
Start: Thu 1/7/2021 10:00 AM
End: Thu 1/7/2021 11:00 AM
Recurrence: (none)
Meeting Status: Accepted
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 180 241 4762

Thursday, January 7, 2021 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e328bf670a89a0111a58c085840fdd59e>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e67aa939caa4fe38dcb515a3039c5b1a>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1802414762@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 466589

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ed592fc836b7dab42b99ed003cfa22d5e>

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

Donna Mignon

From: messenger@webex.com
Sent: Friday, December 11, 2020 9:58 AM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - Case No: 2020-0234-A 8632
Windmill Road

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



Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 2

Number of email addresses the message could not be sent to: 0

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

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Donna Mignon

From: messenger@webex.com
Sent: Friday, December 11, 2020 9:58 AM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - Case No: 2020-0234-A 8632
Windmill Road

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



Webex sent the email message "Invitation for Alternate Host" for your event.

Number of email addresses the message was sent to successfully: 3

Number of email addresses the message could not be sent to: 0

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

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ZAC AGENDA

Formal Demand
per Jmae 10/8

Case Number: 2020-0234-A **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Dr Crystal Greene
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 8632 WINDMILL RD

Location: North East corner of intersection of Windmill Road (55'), and Windmill Circle (50').

Existing Zoning: DR 3.5 **Area:** 6,969 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 427.1 To permit a 6 foot high fence to be erected in the side and rear yard which abuts the front yard of a neighboring property, in lieu of the maximum allowed fence height of 42 inches.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 10-12 per fence on 9-22-20

Miscellaneous Notes:

Case Number: 2020-0235-A **Reviewer:** Rosalie Johnson
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Charles T. & Marlene C. Acree
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 1503 SHORE RD

Location: South Side of Shore Road between Geranium Pl and Gladiolus Pl.

Existing Zoning: DR 5.5 **Area:** 26,160 SQ FT

Proposed Zoning:

VARIANCE:

400.1 BCZR To allow an accessory structure (existing garage) to be located in the front yard of the proposed house, in lieu of the required rear yard.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 23 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: September 23, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0234-A
Address 8632 Windmill Road
(Greene Property)

Zoning Advisory Committee Meeting of **September 21, 2020.**

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

Reviewer: Steve Ford

DR 35
10.96A
SA FK

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Monday, December 21, 2020 8:37 AM
To: Administrative Hearings
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Lauretta
Last Name	Holliday
Email	Laholliday@aol.com
Phone	4437946192
Address	4129 windmill cir
City	Randallstown
State	Maryland
ZIP Code	21133
Case Number	2020-0234-A
Scheduled Hearing Date	January 7, 2021

Event Information

Event:	Zoning Hearing - Case No: 2020-0234-A 8632 Windmill Road	Start Ev
Type:	Listed Event	You can
Event address for attendees:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e709163410032ab279a2dc3bf21fcee5	event by
Event address for panelists:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e0be6b414307160ad5079db52b3f9a6b6	Start No
Date and time:	Thursday, January 7, 2021 10:00 am Eastern Standard Time (New York, GMT-05:00)	Sta
Duration:	1 hour	
Description:	Zoning Hearing Case No: 2020-0234-A Address: 8632 Windmill Road Legal Owners: Crystal Greene	
Event number:	180 241 4762	Send Ev
Event password:	1234	You can
Host key:	589169	emails b
Alternate Host:	Deb Wiley, Henry Ayakwah, Maureen Murphy	Send En
Panelist Info:		Send
Panelist password:		
Panelist numeric password:	466589	
Video Address:	1802414762@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: 180 241 4762	
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	
After registration, go to URL:		

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.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Dr. Crystal Greene	drehwellness@gmail.com	1-	New York Time	English	U.S.
Lauretta Holliday	laholliday@aol.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

Case No.: 2020-234-A Crystal Greene

1/14/21

Exhibit Sheet

dw 2-17-21

Petitioner/Developer

Protestants Holliday

No. 1		Photo Pet Side Yard-South
No. 2		Photo Rear yard
No. 3		Photo Rear/Side-South
No. 4		Photo Rear Yard-South
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

📧 Reply all | ▾ 🗑 Delete Junk | ▾ ...



FW: 10 am zoning hearing today.



Donna Mignon

Today, 9:36 AM

Maureen E Murphy ▾

📧 Reply all | ▾

Label: 18 Month Delete (1 year, 6 months, and 3 days) Expires: 7/9/2022 9:36 AM



Action Items



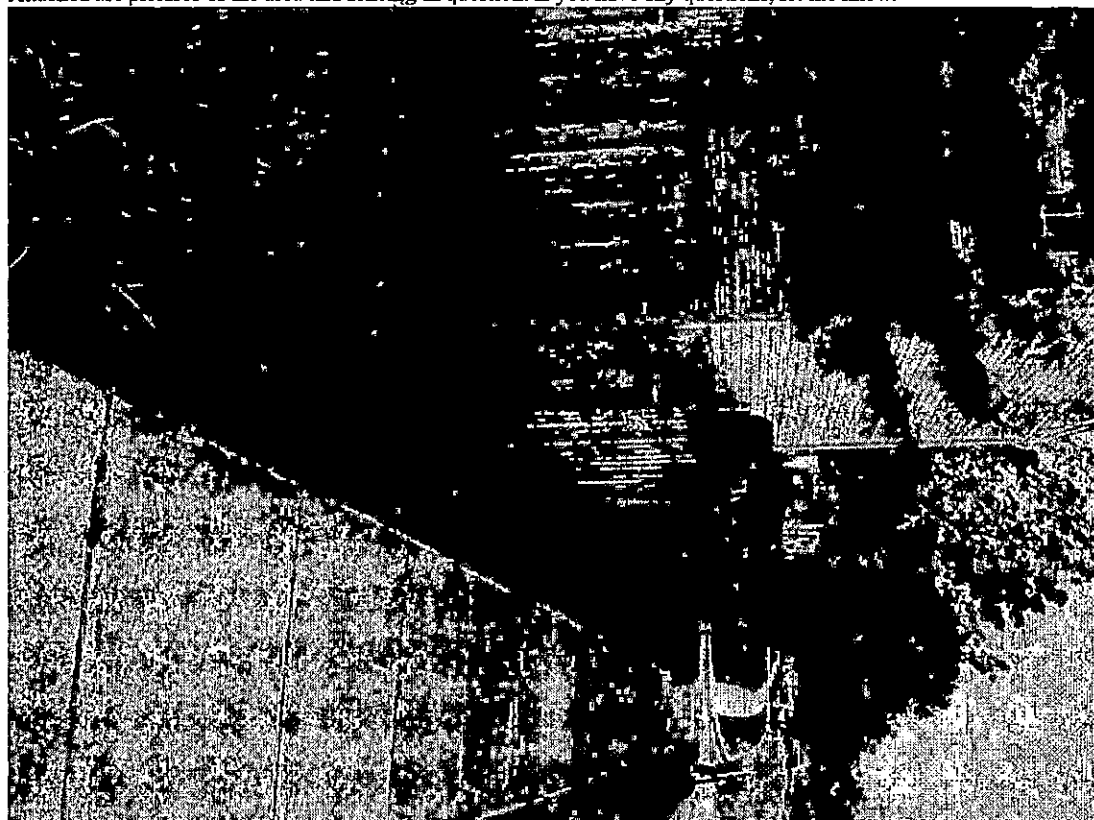
Please see below from the neighbor who is opposing the Variance.

From: Laurretta <laholliday@aol.com>
Sent: Thursday, January 7, 2021 9:35 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: 10 am zoning hearing today.

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

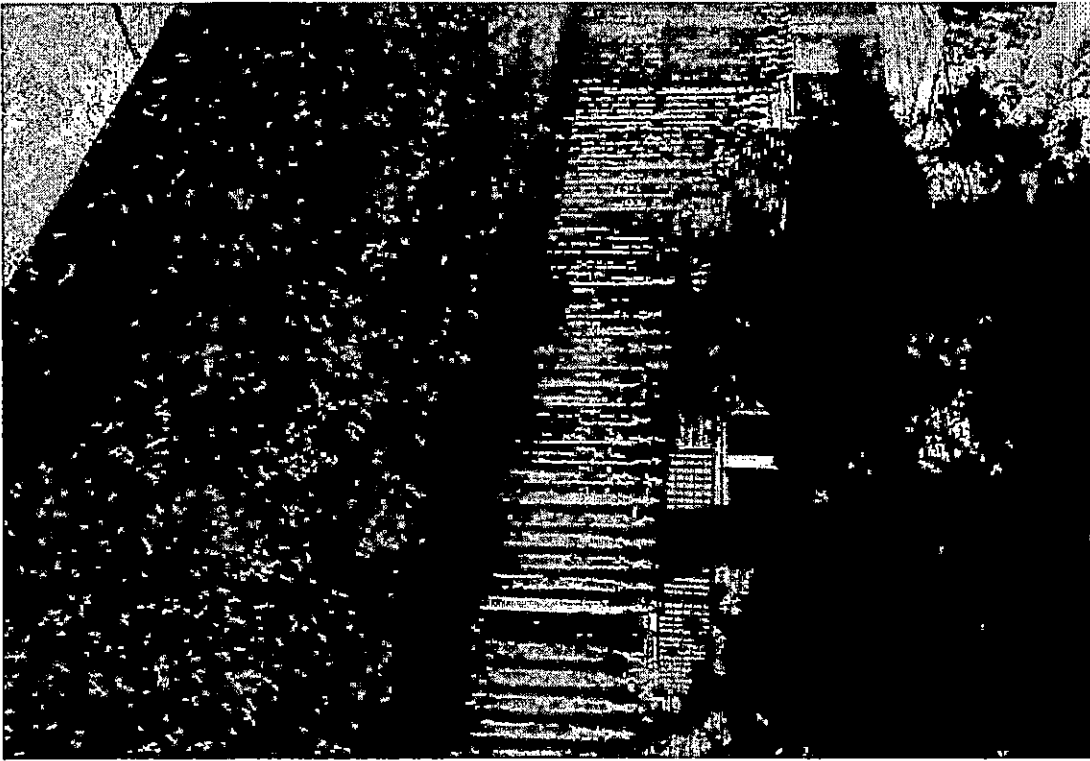
Case:2020-0234-A

Attached are pictures of the area and fencing in question. If you have any questions, let me know.

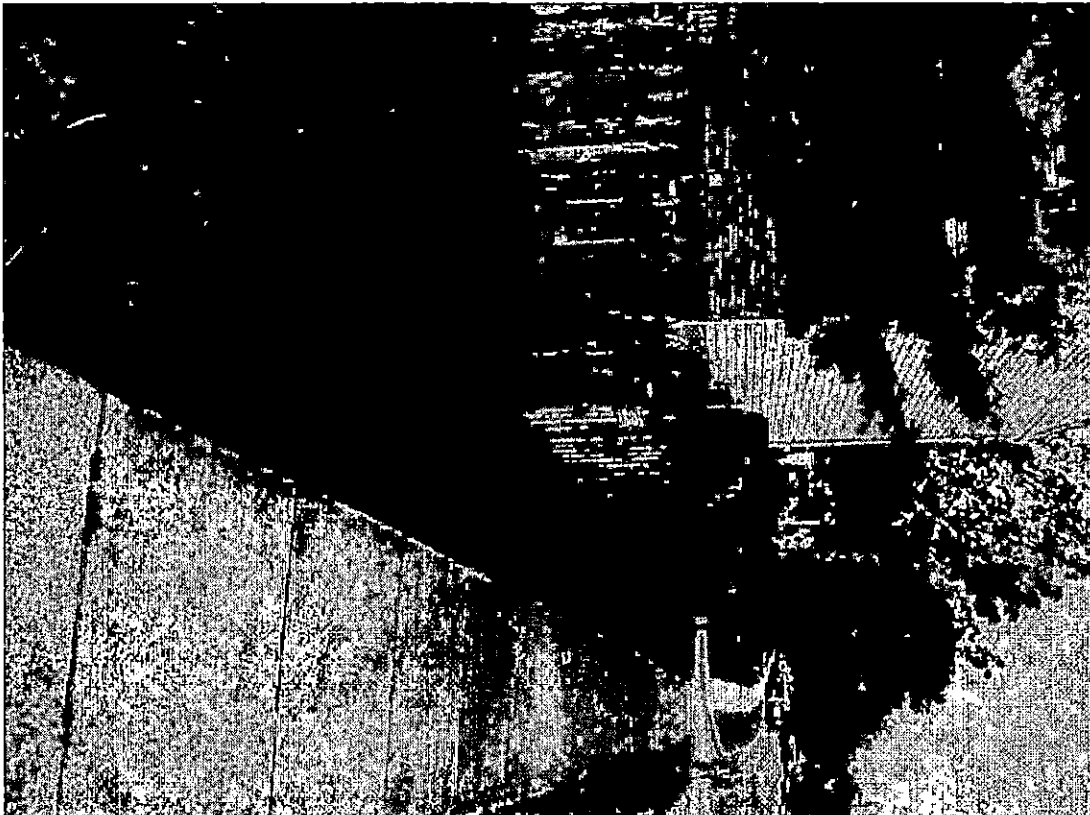


Reply all | ▾ Delete Junk | ▾ ...

X



2



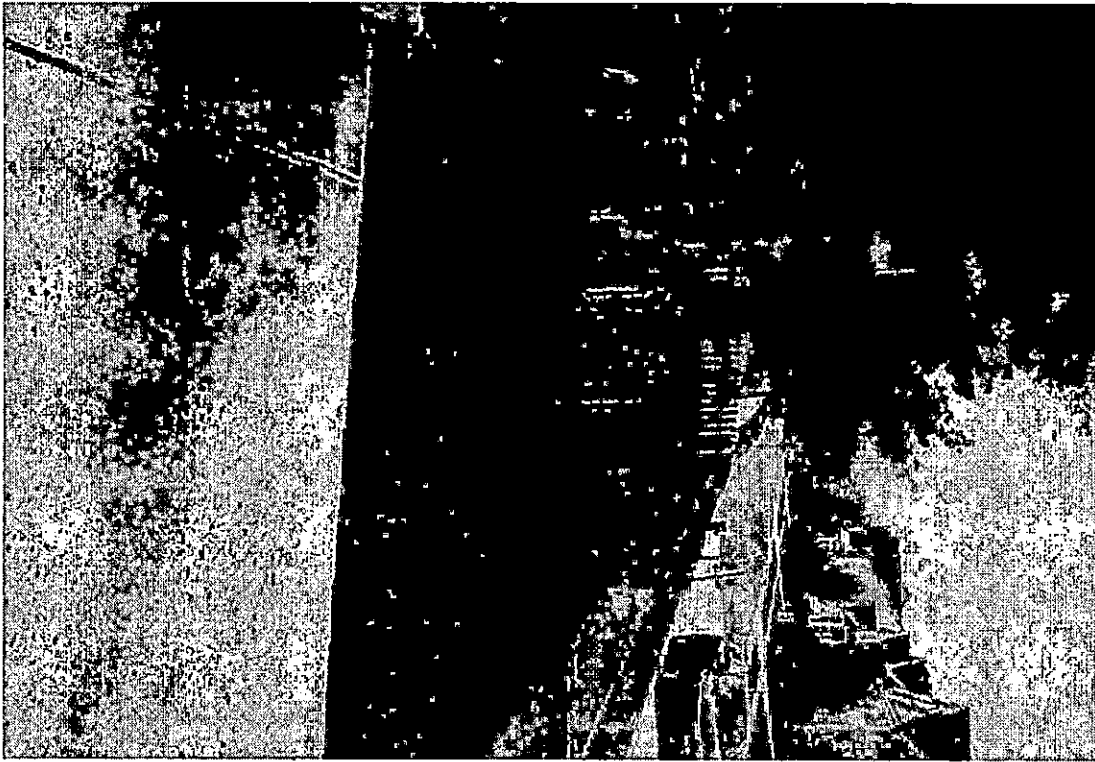
3

1/7/2021

FW: 10 am zoning hearing today.

Reply all | ▾
Delete Junk | ▾ ...

✕



7

Lauretta Holliday
4129 windmill cir

Case No.: 2020-234-A Crystal Greene

Exhibit Sheet

den
2-17-21

1/14/21

Petitioner/~~Developer~~

Protestants

No. 1	Photo Pet Side ^{NORTH} yard	
No. 2	Photo Close Up Pet Side ^{NORTH} yard	
No. 3	Photo Side Yard-South	
No. 4	Photo Corner ^{NORTH} Windmilled windmill circle	
No. 5	Photo Dup Ex: 2	
No. 6	Behaviorial Support Plan Kevin Thomas	
No. 7	Site Plan	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

From: [Dr Chris Greene](#)
To: [Donna Mignon](#)
Subject: Exhibit #1 Case # 2020-0234-A
Date: Monday, January 4, 2021 1:40:58 PM

CAUTION: This message from drehwellness@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.



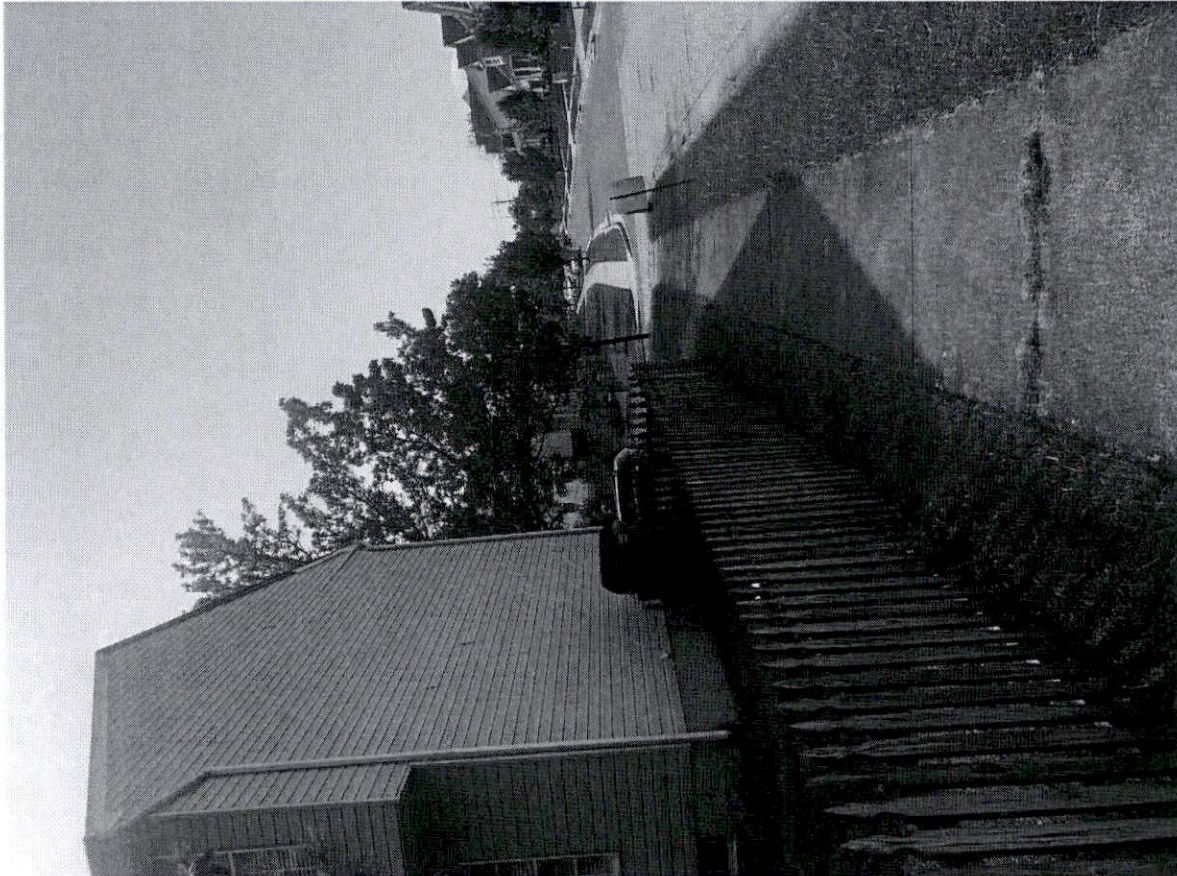
From: Dr Chris Greene
To: Donna Mignon
Subject: Exhibit #2
Date: Monday, January 4, 2021 3:11:07 PM

CAUTION: This message from drehwellness@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.



From: [Dr Chris Greene](#)
To: [Donna Mignon](#)
Subject: Exhibit #3
Date: Monday, January 4, 2021 4:28:19 PM

CAUTION: This message from drehwellness@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.



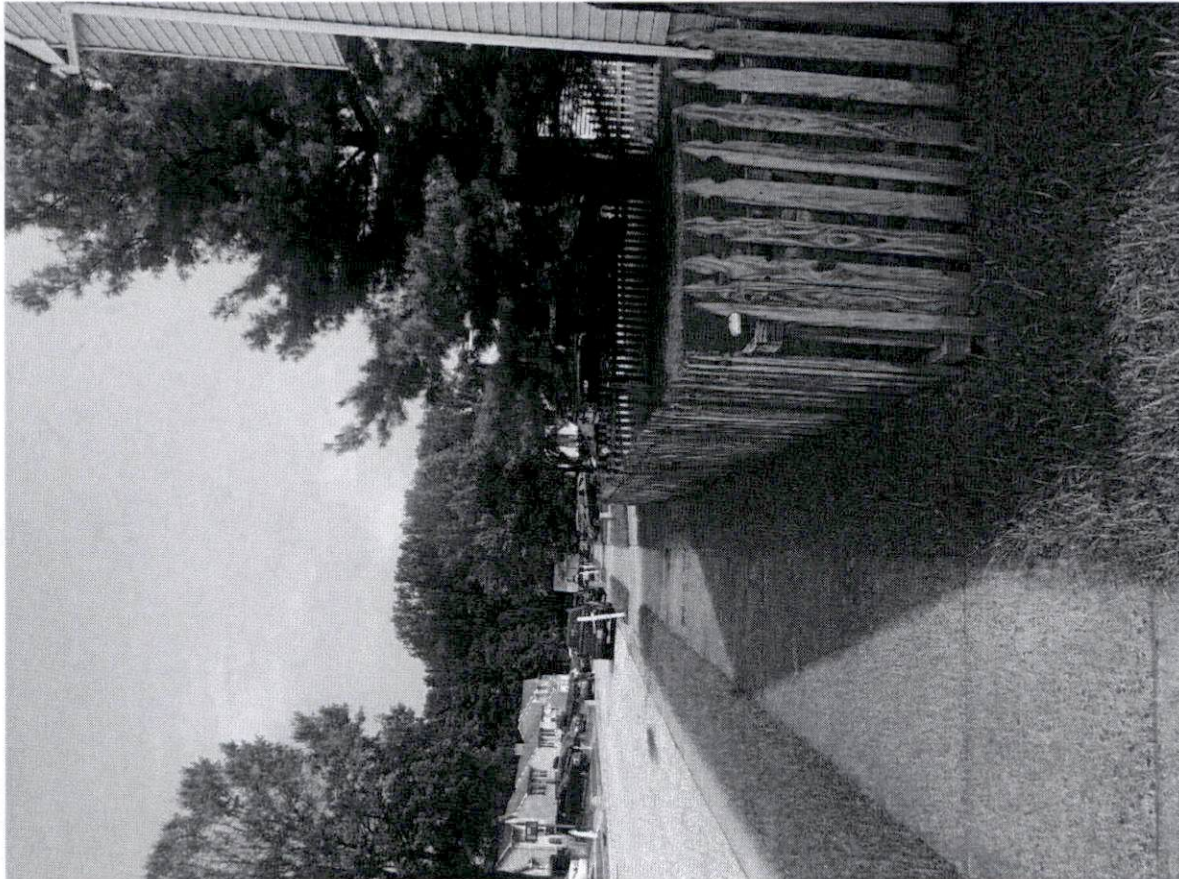
From: [Dr Chris Greene](#)
To: [Donna Mignon](#)
Subject: Exhibit #4
Date: Monday, January 4, 2021 4:29:19 PM

CAUTION: This message from drehwellness@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.



From: Dr Chris Greene
To: Donna Mignon
Subject: Exhibit #5
Date: Monday, January 4, 2021 4:30:09 PM

CAUTION: This message from drehwellness@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.



TIER 2 SUPPORT PLAN

(Home Setting)

I. DEMOGRAPHIC INFORMATION

Name: Kevin Thomas
Date of Birth: 1/1/93
Residential Provider: Family Home
Vocational Provider: Social Health Services Group, Inc.
Target Environment: Family Home
Referral Source: Crystal Greene, mother
Date of Annual IP meeting: 11/7/16
Level of Supervision: constant supervision
BPS Techniques Used: none
Date of Plan: 3/31/17

II. BACKGROUND INFORMATION

Mr. Thomas is a 24 year old, African American male. He is 5'2" and weighs 198 pounds.

Mr. Thomas has a psychiatric history of Intellectual Disability. Medically, he has been diagnosed with Prader Willi Syndrome. His mother reports that he is on a 1200 calorie a day diet and has trouble sleeping. More specifically, he gets up in the middle of the night for about two hours (2:00am to 4:00am) and then goes back to sleep. He wakes up typically at 5:00am. He frequently searches for food at those times. His medical condition impacts his behavior. He does not have a PMOF since he resides in a family home, however, his mother reported that he is prescribed Topimax, 100mg, twice a day.

Mr. Thomas resides within his family home. He attends vocational services at Social Health Services Group where he has 1:1 staffing to prevent and manage stealing food and others' belongings, property destruction, and physical aggression. Efforts have not been made to fade this level of supervision. At home, his mother, Dr. Greene, is his primary caregiver that provides care when he is not at the vocational program. He has frequent supervision provided by his mother and is rarely left alone. He is within earshot in private areas of the home.

III. SUMMARY OF ASSESSMENT RESULTS

Verbal Behavior Assessment

In response to the Verbal Behavior Assessment Form: Level 1, Ms. Greene reported that Mr. Thomas has more than adequate verbal repertoire. He is able to make requests (mand) and label (tact) items and can respond to verbal stimuli (hold a conversation) competently. Mr. Thomas can respond appropriately to instructions and demands. He can answer "wh-" questions. He can

read and write. According to his mother, Dr. Greene, and consistent with this assessment, he is rule-governed (e.g., he can respond appropriately to "if-then" statements).

Preference Assessment

The Individual Preferences Inventory was completed with Mr. Thomas. Favorite foods include fried chicken, baked chicken, fish, and macaroni and cheese. For snacks, he likes to eat granola bars or fruit (e.g., apple, mango, bananas). He likes to drink grape juice. His favorite restaurant is Grannys. He likes to watch Scooby Doo on t.v. His favorite movie is Annie. He likes to listen to R&B music. Mr. Thomas likes to jog and walk. He played basketball in the Special Olympics. He likes to play games on the Xbox (e.g., Madden, basketball, college football). If he could have three wishes he would get a job, get paid to own his own house, get his own car. He likes to go to the gym and to restaurants with his mother. He likes when they have parties at his vocational program. He does not like that they often don't have anything to do there.

The Reinforcement Preference Assessment was completed with Mr. Thomas' mother, Dr. Greene. She indicated that he spends most of his time watching sports and playing video games. He frequently asks for food. He takes very long showers. He likes decorating and she thinks he would be good at job that involves coordinating clothes or doing tasks that are "artsy".

Functional Behavior Assessment

The treatment team was invited to participate in the assessment as part of the behavior plan development. The Functional Behavior Interview, Functional Assessment Interview Form, and Functional Assessment Screening Tool were administered with Dr. Greene, Mr. Thomas' mother, Mr. Andy Sawyer, supported employment coordinator at Social Health Services Group, and Ms. Latrece Jones, day program coordinator at Social Health Services Group, and suggests, and the team agrees, that behavior support services be directed towards dietary noncompliance, taking others' belongings, disruptive behavior, and inappropriate urination.

Dietary noncompliance is being addressed because it can lead to health issues related to consuming too many calories, can serve to stigmatize Mr. Thomas, and occurs at a high rate. Dietary noncompliance is defined as food seeking behaviors that consists of the retrieval and consumption of food that exceeds the 1200 calories as prescribed for his diet. More specifically, Mr. Thomas will scan the area visually to locate food items (e.g., that other people are eating, food left out, food left in the car of staff, trash cans) and wait until he is not under direct line of sight supervision (e.g., caregiver is in another area of the home, caregiver turns to answer someone else in the community) and retrieve the food items that are either identified through scanning behavior or where he knows that food is generally located (e.g., cabinet, pan left on stove) and either eat it immediately or stuff it in his clothing to put in another area (e.g., bedroom) to hide and eat at another time (which can be several days later). Taking food is estimated to occur at least once a day, although sometimes it is not known. Dr. Greene has a high level of control to prevent this behavior and she modifies his diet if she is aware that he has taken food at other times. It does not range in severity. Mr. Thomas takes any food that is left unattended and will use opportunities when he is not in the line of sight of others (e.g., in the middle of the night, others are in another room, etc.) to search for food. There are times that they are not aware that he has taken food or he has consumed the food before they become aware of it being missing. Taking food is an automatically reinforced appetitive behavior that is maintained by eating the food items.

Taking others' belongings is being addressed because it prevents prosocial relationships and occurs at a high rate. Taking others' belongings is defined as taking items that are likely to be noticed and/or valuable to the person (e.g., jewelry, keys, socks, checkbook, credit card, etc.) and storing it on his person until he can store it in his room, give it away, or throw it away. At times, he may put the item in a place where he knows that it will be found, but not inform others. To prevent this from occurring in the home, the family members lock their bedroom doors and try not to leave out any of their belongings. His mother will carry her purse around the house with her everywhere she goes. In public, he is provided with direct line of sight supervision. However, if they turn their heads for a moment, he may quickly take the item that he has identified when they were walking around and stuff it in his clothes. Taking others' belongings is estimated to occur at least once a day, however, there are times that it is not known that he has taken something. It does not range in severity. Taking others' belongings is likely a result of a well-controlled environment that has prevented him from taking food. Food is always his first choice, but if that is not available, he will take the items. Mr. Thomas will steal others' belongings when they are left unattended. He is more likely to take items that others will realize are gone. When they realize the item is missing, they may beg him to give it back or may search, sometimes frantically if it is really needed, for the item. He does not admit to taking the item or give the item back at this time. Taking others' belongings appears to be an appetitive behavior that is maintained by controlling others' behavior and from gaining access to the items.

Disruptive behavior is being addressed because it is a potential danger to himself and others, can be costly, and because it serves to stigmatize Mr. Thomas. Disruptive behavior consists of, but is not limited to, some combination of the following behaviors: verbal agitation, property destruction, and elopement. Verbal agitation is defined as verbal behavior that indicates that he has done something already in a loud tone (e.g., "I did it already") or verbal behavior that offends and/or threatens others (e.g., yelling that he didn't take something "I didn't do it", cursing, cursing at others, threatening to elope). Property destruction is defined as engaging in behavior that comes into physical contact with objects or surfaces in the environment and that could, or would, if repeated result in damage to property (e.g., hitting holes in the wall, breaking his bed, breaking his lampshade, breaking his dresser drawers, knocking the t.v. on the floor, knocking everything off his dresser, emptying his closet and dresser, etc.). Elopement is defined as leaving designated areas without permission or informing his mother and usually consists of walking out the door and standing on the porch. He used to walk down the street, but is no longer doing that. Disruptive behavior is estimated to occur 5 times per week and last approximately 25 minutes. It ranges in severity from least severe (i.e. verbal agitation), to severe (i.e., verbal agitation and elopement), to very severe (i.e., verbal agitation and property destruction). It is sequential and begins with verbal agitation. He is likely to engage in disruptive behavior when he is confronted on taking food or others' belongings and when he is asked to show his mother something (e.g., his teeth, hands) after he has completed a hygiene task, or when he is asked to redo the hygiene task (e.g., brush teeth, wash hands, shower) because it was done incorrectly. If he has taken something, he may be able to keep the food/item. If he is asked to repeat a hygiene task, he may not correct the problem. Disruptive behavior functions primarily as an escape behavior that is maintained by avoiding an aversive task. Secondly, it functions as an appetitive behavior that is maintained by maintaining access to preferred items/activities and is also a form of counter control.

Self-stimulatory behavior is being addressed because it can cause injury, serves to stigmatize Mr. Thomas, and occurs at a high rate. Self-stimulatory behavior consists of, but is not limited to, the following behaviors: skin picking (using his finger nails and coming into physical contact with skin on his head, hand, and legs and picking at it that could, or would, if repeated result in open wounds) and pulling his hair out (using his hands to pull at hair on his head and possibly pubic

area, pulling it out, and may put it in his mouth but not swallowing it or may otherwise discard which results in patches of hair being removed). It is estimated to occur five times a day, although it is likely to occur more frequently since he is more likely to engage in this behavior when he is out of direct line of sight of others. This behavior mostly occurs out of line-of-sight supervision. Other, less frequent, antecedents include free time when there is not an activity that requires physical movement, being confronted on taking others' belongings or food (e.g., told that they know he has it, asked to give item back, take something of his), and if there is a change in his routine (e.g., he does not go somewhere he wanted to go to when he thought he was supposed to go). If the behavior is observed, Ms. Greene will provide redirection to an activity that requires the use of his hands. Most times, since the behavior occurs out of line of sight of others, he is able to continue the behavior. Self-stimulatory behaviors are an automatically reinforced behavior that is maintained by gaining access to stimulation.

Inappropriate urination is being addressed because it is unsanitary, serves to stigmatize Mr. Thomas, and occurs at a high rate. Inappropriate urination is defined as gross motor behavior that consists of urinating in inappropriate places (e.g., carpet, urinating in bottles) and wetting his bed. A medical evaluation was reportedly completed and concluded that there are no medical conditions causing this behavior. It is estimated to occur five times a week. It does not range in severity. It occurs overnight when he is in his room. When his mother finds out she becomes frustrated and asks why he is doing this. She may have to replace items (e.g., she got new flooring, mattress). It is likely that inappropriate urination started as an escape behavior that was maintained by avoiding having to go to the bathroom at night. However, it appears that it secondarily functions as an appetitive behavior that is maintained by controlling others' behavior.

Baseline Data

Original baseline data was from the plan dated 3/17/15. Data was collected from 1/29/15 to 3/2/15. Taking others' belongings (both food and items were included) occurred once, disruptive behavior occurred 2.5 times per week, and self-stimulatory behaviors occurred approximately once a week.

Current estimated baseline data indicates that taking food occurs once a day, taking others' belongings occurs once a day, disruptive behavior occurs five times a week and lasts approximately 25 minutes, self-stimulatory behaviors occur five times per day, and inappropriate urination occurs five times per week.

A comparison of baseline data indicates an increase in frequency of all behaviors as well as an additional behavior of inappropriate urination. However, physical aggression is no longer occurring as part of disruptive behavior in the family home setting. The increase in behavior may be due to the change of no longer having staff work with him in the home. Therefore, his mother is able to control the diet more, which may be resulting in an increase in other behaviors as a form of counter control.

Target Behaviors

1. **Taking food:** is defined as food seeking behaviors that result in the retrieval of food.
2. **Taking others' belongings:** defined as taking items that are likely to be noticed and/or valuable to the person (e.g., jewelry, keys, socks, checkbook, credit card, etc.) and storing it on his person until he can store it in his room, give it away, or throw it away.

3. Disruptive behavior: consists of, but is not limited to, some combination of the following behaviors: verbal agitation, property destruction, and elopement.
4. Self-stimulatory behavior: consists of, but is not limited to, the following behaviors: skin picking and pulling his hair out.
5. Inappropriate urination: defined as gross motor behavior that consists of urinating in inappropriate places (e.g., carpet, urinating in bottles) and wetting his bed.

Functional Alternatives

1. Respecting food and others' property ("leaving food and others' belongings alone"). For example, not taking food or items that are left out when he is not being directly supervised.
2. Leaving his skin and hair intact ("good hands"). For example, engaging in other sensory activities instead of picking his skin and/or hair.

IV. TRAININGS

Preventative Strategies

1. Dr. Greene will conduct searches on a daily basis. Searches involve going into his room while he is present and looking for food or other items that he has taken. It also involves checking to see if he has urinated in inappropriate places. If something is found that is not his, or food is found, Dr. Greene will take the items/food and remove it from the room. She will not say anything about him taking it. If he has urinated in an inappropriate place, she will clean the area while following the Universal Extinction procedure.
2. Within the family home, cabinets and the refrigerator will be locked to prevent Mr. Thomas from stealing food. In addition, Dr. Greene will be careful not to leave food in the car.
3. Valuables and personal items that are important to family members need to be kept in a secure location. Guests should be encouraged to keep their personal items with them at all times when they are visiting.
4. During outings, Dr. Greene will remain within arm's length to prevent the opportunity for Mr. Thomas to take food or other items that belong to others. If they are going to the gym, it is important that Mr. Thomas change his clothes in a one person bathroom that Dr. Greene can stand outside, or within the family home before they go. Mr. Thomas should not be given the opportunity to be in a men's locker room unsupervised since this gives him the opportunity to take others' belongings. If Mr. Thomas uses a public bathroom, Dr. Greene will wait for him directly outside of the bathroom door.
5. It is important to provide Mr. Thomas with choices as much as possible. This should be done with activities as well as food. Choices should be given throughout the day of meals and snacks that are within the appropriate calorie range.

Reinforcement Strategies

6. Mr. Thomas' day will be divided into 60 minute durations. During each duration, if Mr. Thomas engages in functional alternatives without disruptive behavior, he will get a signature on a chart, for that duration. If he earns all but one of his signatures during the day, he will earn a reinforcer at the end of the day. Staff will develop a written menu of reinforcers for him that they will read to him so that he can choose his reinforcer (e.g. watching sports, playing basketball, special edible within his calorie range, etc).
7. If a search is completed and there are no items or food found and he has not urinated in an inappropriate place, he will be able to choose a reinforcer (e.g., time on a video game that is not always available, a special food item that is within his diet, etc.)
8. At random times on a daily basis, Dr. Greene will check for any results of self-stimulatory behaviors. If there is no evidence (e.g., loss of hair, skin removed, etc.), he will earn a reinforcer.

V. MANAGEMENT**Universal Extinction**

9. **When Target Behaviors are Occurring:** When target behaviors occur, Dr. Greene's affect will be neutral. They will not plead or provide material reinforcement in an effort to prompt Mr. Thomas to stop. They will not discuss the behaviors with others or anyone else in his presence. They will not express disappointment, disapproval, or irritation. They will not indicate that they are upset. In general, they will not interact with him in so far as target behaviors are concerned. When appropriate behaviors occur, they will interact normally. When staff interacts with Mr. Thomas regarding the target behaviors, they will confine their responses to the management techniques described below.
10. **After the Target Behavior Stops:** As soon as the target behaviors stop, Dr. Greene will interact with Mr. Thomas in a normal fashion. If demands were serving as antecedents, they will not remove the demands. If denial antecedents evoked the behavior, they will not provide the items or activities involved contingent on behavior cessation. They will not sympathize or empathize with Mr. Thomas with regard to the antecedents. Under no circumstances will Dr. Greene shun (ignore and/or socially isolate), Mr. Thomas as a consequence of the target behaviors.

Taking Food or Others' Belongings

11. If Mr. Thomas is noted to take or be in the possession of food or property of others without their permission and the object is in plain sight, Dr. Greene will prompt him to return the food or possession. This prompt should be given in a simple, direct, but matter of fact fashion and consistent with the Universal Extinction procedure.
12. If the item in question is not in plain view, but Dr. Greene is aware of the location of the item, Mr. Thomas will be asked to either remove the item or remove the contents of the area in which the item is located. As an example, staff and/or Dr. Greene might say, "Kevin, would you please empty your backpack". Once they retrieve the item, they will return it to the owner or the place that he took it from whenever possible.

13. Dr. Greene will not use these prompts unless it is absolutely clear that Mr. Thomas has in fact taken food or someone else's possession without their permission.
14. If Mr. Thomas refuses any of the prompts or requests, Dr. Greene will not take the item in question from him. Dr. Greene can complete a search of his room.

Disruptive Behavior: Verbal Aggression

15. If Mr. Thomas engages in verbal aggression without engaging in other target behaviors, Dr. Greene will implement the Universal Extinction procedures as described above and encourage him to use his problem-solving skills.

Disruptive Behavior: Property Destruction

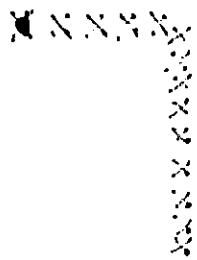
16. If Mr. Thomas begins to engage in property destruction, Dr. Greene will use a redirection strategy in order to prompt Mr. Thomas to engage in a behavior that is inconsistent with the target behavior. She may prompt him to put his hands at his side, sit down, or engage in a similar behavior that would be useful in terminating the property destruction.
17. If Mr. Thomas does not respond to a redirection prompt and continues to engage in property destruction or physical aggression, then Dr. Greene will remove themselves from Mr. Thomas' general area. She will continue to maintain line of sight supervision. Dr. Greene will provide Mr. Thomas with the minimum amount of attention that is needed to manage the behavior safely.
18. If at any time during the episode of property destruction, Mr. Thomas or others are at imminent risk of injury, Dr. Greene will call 911.

Disruptive Behavior: Elopement

19. If Mr. Thomas attempts to leave a designated area without permission, Dr. Greene will provide a redirection prompt to engage in a behavior that is inconsistent with elopement. For example, she may prompt him to participate in an activity at the house.
20. If Mr. Thomas leaves the designated area without permission, Dr. Greene will "shadow" him. Shadowing involves walking behind him, not chasing, while providing redirection prompts to return to the residence every 5 to 10 minutes.
21. Redirection prompts should be made using a calm, neutral tone of voice.
22. If at any time staff or Dr. Greene loses line-of-sight supervision of Mr. Thomas, they will immediately call 911.

Self-Stimulatory Behaviors

23. This behavior occurs mostly when Mr. Thomas is out of line of sight supervision. Therefore, Dr. Greene will look for any open wounds on a daily basis and provide medical attention as needed.



2020-0234-A



4-1229-0801

NEIGHBOR

PETITIONER

LONG FENCE

2020-0234-A

3534-0000-01

3534-0000-01

3534-0000-01



Fence Masters, Inc.

5905 KENWOOD AVE.

P.O. BOX 70032

BALTIMORE, MD 21237

PHONE: (410) 681-0730

FAX: (410) 685-0705

Website: www.fencemastersmd.com

E-Mail: fencemasters2@verizon.net

LICENSE NO. 18225

BUILDING PROFESSIONAL TRUST THROUGH GENUINE CONCERN

JOB #

DATE: 8-18-20

NAME: Dr. Chris Greene
ADDRESS: 8632 Windmill Rd. Randallstown ZONE: 21133
PHONE: 443-865-6665 INSTALLED AT:

* Drehwellness@gmail.com: SPECIFICATIONS

ESTIMATOR: Kate

6' priv.
☒ PVC ☐ WOOD ☐ CHAIN LINK ☐ ALUMINUM ☐ STEEL

Height(s) & Footage: 172' of 6' vinyl privacy
Top Rail 2x7 Line Post 17 End Post 6 Corner Post 3 Gate Post (4 of 6)

Type of Wood: Grade of Lumber: Nominal Sizes of Boards:

Stringers ea. of / Section, Spacing Scalloping Convex Concave

Wire Mesh "X" "X" ga. X high, Finish Galv. Vinyl Coated Color

Gate(s) Size & Style: 2 walks @ 6' x 4' w. wh. vinyl priv.

Color and Style of Fence: 6' tall white privacy vinyl

Special Construction Notes: * applying for a variance for the L side to be 6' & Rear

Proposed Cost: \$

Fence Masters, Inc. is authorized to perform the work as specified

Signature & Date

1/3 down payment, balance upon completion. The customer determines the location of the fence and property lines. The customer repairs damage to private underground utilities at the customer's expense. The fence runs with the grade unless otherwise specified.

DIAGRAM

Materials

\$ 5029.00

tax

\$ 301.74

Labor

\$ 2450.00

Total

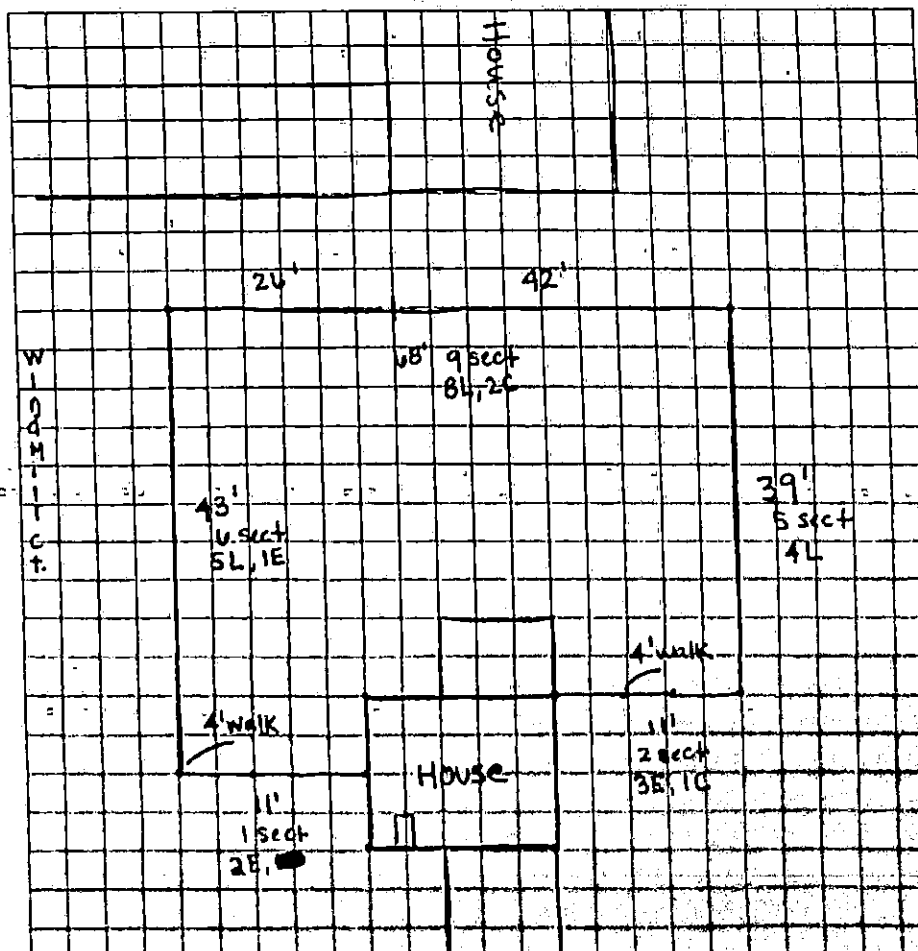
\$ 7780.74

dome cap opt.

+ \$ 165.36

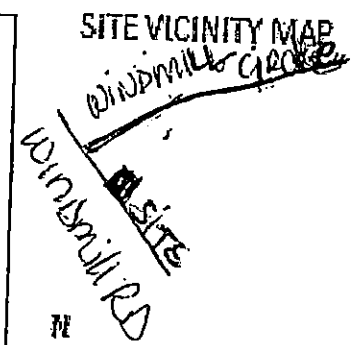
classic
new england
cap opt.

+ \$ 220.48

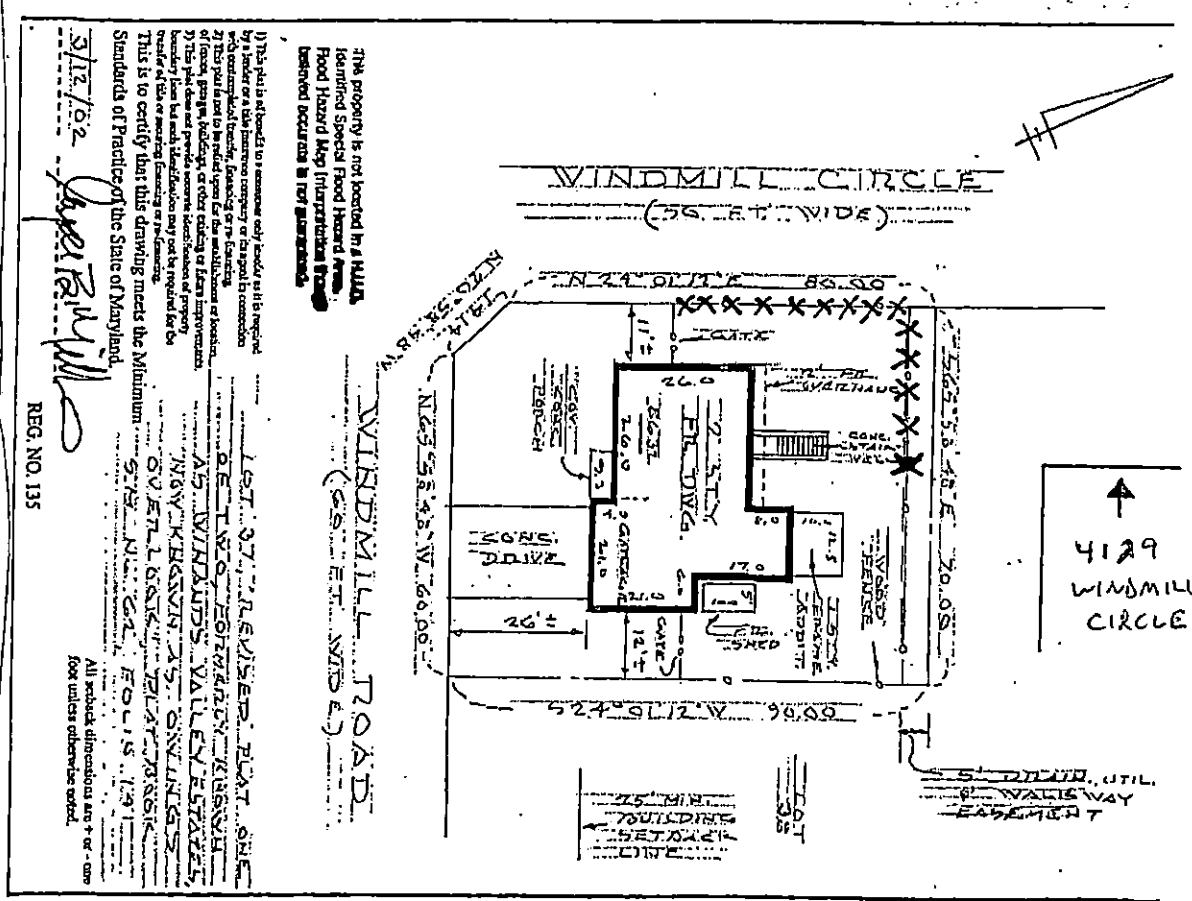


2020-0834-A

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
 ADDRESS 8032 WINDMILL RD. OWNER(S) NAME(S) CRYSTAL GREENE
 SUBDIVISION NAME OWINGS OVERLOOK LOT # 37 BLOCK # --- SECTION # ---
 PLAT BOOK # 62 FOLIO # 141 10 DIGIT TAX # 2100008283 DEED REF. # 16246100358



MAP IS NOT TO SCALE
 ZONING MAP# 07B1
 SITE ZONED DR3.5
 ELECTION DISTRICT 2
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE 6969
 OR SQUARE FEET ---
 HISTORIC? NO
 IN-CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC ☒ PRIVATE ---
 SEWER IS:
 PUBLIC --- PRIVATE ---
 PRIOR HEARING? ---
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW



2020-0234-A

PLAN DRAWN BY Office of Mark Kulest DATE 3/12/02 SCALE: 1 INCH = 20 FEET

VIOLATION CASE INFO:

2020-0234-A

PETITIONER



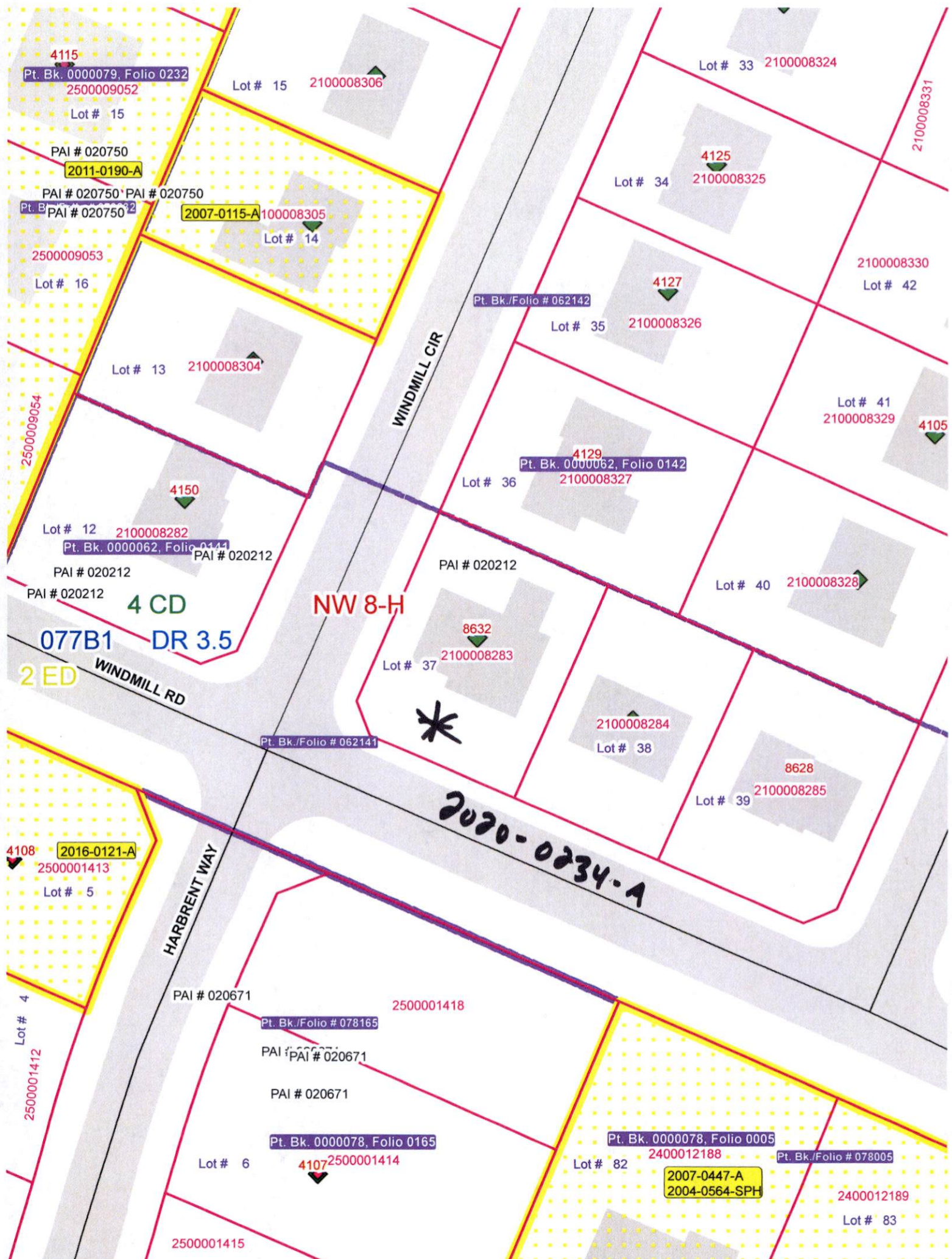
A. - KGO-0505

10/20/77



2
1
1
1

1-1000-0000



1000-0000

