

**Jonathan and Lisa Orens
Bluebird Hall Farm
17609 Falls Rd
Upperco, MD 21155
410-804-5345**

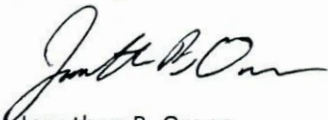
December 9, 2022

Permits, Approvals and Inspections Department
Agricultural Land Preservation Advisory Board
County Office Building
111 West Chesapeake Ave
Room 124
Towson, MD 21204

To whom it may concern,

With this letter, I would like to formally file to begin the appeal process in opposition to the Agricultural Board recommendations to the Office of Zoning regarding the use of an Agricultural Barn at 17615 Falls Rd, Upperco, MD 21155. At the Agricultural Board meeting of November 9th, the Board approved the application by Elina Luarsabova for "commercial" agricultural use of a proposed barn and therefore an exception to the 35-foot setback rule for large agricultural buildings on RC2 property. Please see the attached documents including the agenda for the meeting and the signed approval and recommendations from the board as well as my check for \$300.00 to file this request to move forward with the appeal process. We do plan to file additional information either prior to or at the appeal hearing.

Sincerely,



Jonathan B. Orens

Cc: Jeffrey Perlow
Megan Benjamin

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

No. 219031

Date: 12/8/22

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	800	0000		6150					\$ 300

Total: _____

Rec From: LISA & JONATHAN ORENS

For: APPEAL 17615 F4/15

DISTRIBUTION

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

CASHIER'S
VALIDATION

JK

LISA MARIE ORENS
JONATHAN B ORENS
17609 FALLS RD.
UPPERCO, MD 21155

7-11
520 3084

2066

DATE 12-8-22

PAY TO THE ORDER OF Baltimore County Maryland \$ 300.00

three hundred & no/100

M&T Bank

DOLLARS ☒ MyChoice Premium

MEMO _____

Lisa M Orens

⑆052000113⑆ 9853685155 2066

SECURED BY ESHIELD®

Security Features included. Details on Back.

A-17

RURAL ACCESSORY USES

Reference S. 400, 101, 404.2

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

To: Megan Benjamin
Northern Sector Planner
Department of Planning

Date: 10/21/2022

From: Director, Permits, Approvals & Inspection
111 W. Chesapeake Ave., Towson, Maryland

RE: Legitimacy of Farm Use	
To be supplied by applicant:	
Election District	<u>Fifth District</u>
Owner:	<u>Elna Liansaborn</u>
Address:	<u>17615 Falls Road</u> <u>Upper MD 21155</u>
Phone #	<u>443-732-0945</u>
Tax Account Number	<u># 2200003251</u>

Pursuant to the Zoning Commissioner's Policy A-17 _____ this office is officially requesting verification of the legitimacy of a farm use on the _____ referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required by the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

To Be Supplied by Applicant

1. The deed to the property
2. The state tax map for that area: Map: 0020 Block: - Parcel: 0265
3. Letter describing the farm operation
4. Photographs of the agricultural operation

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE ON THE REFERENCED PROPERTY

Yes ☒ No ☐ Comment Based on the BCZR definition of Commercial Agriculture, the barn is for Commerical Ag purposes. Recommed further discussoin between neighbors to see if a 35' setback can be reached.

Signed: Megan Benjamin Date: 11/11/22
Representative of the Agricultural Land Preservation Board for Baltimore County
on behalf of Steve Meyer, Chair



JOHN A. OLSZEWSKI, JR.
County Executive

STEPHEN LAFFERTY, Director
Department of Planning

Baltimore County Agriculture Advisory Board
Meeting Agenda

MEETING: November 9, 2022 Board Meeting – 6:30 PM @ The Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030. (see below for instructions to submit comments in advance)

I. APPROVAL OF MINUTES/ADDITION OR DELETION OF AGENDA ITEMS:

- A. Approval of Minutes of: September 14, 2022
- B. Addition or Deletion of Agenda Items.

II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES

- A. Armacost Family – 17634 Bruehl Road– 87.41 ac – (MALPF# 03-96-13AC)

Request: Recommendation of 1) approval of an Agricultural Subdivision of the easement property and 2) recommending the action as a General Exemption for Agricultural Purposes.

III. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS

- A. Luarsabova, Elina– 17615 Falls Road – 10.0903ac—RC2

Request: Designation of Legitimacy of Agricultural Use for construction of a barn

- B. Potepan, Frank & Ellen—2017 Western Run Road—RC2

Request: Recommendation of approval of subdivision as a General Exemption for Agricultural Purposes.

IV. PROGRAM POLICY

- A. Agricultural Priority Preservation Areas-for Master Plan 2030

V. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES

VI. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES

VII. FUTURE MEETING DATES

Next Meeting: December 14, 2022

VIII. ADJOURNMENT

BALTIMORE COUNTY AGRICULTURAL LAND PRESERVATION BOARD
Public Comment Information

HOW TO PROVIDE REMOTE PUBLIC COMMENT

1. Email submission before the meeting

We recommend emailing your written comments in prior to the meeting. Please email your written public comments by NOON on the day of the meeting. This will give staff time to organize and prepare the written comments for the meeting. Staff will share the pre-submitted written comments at the meeting during the allotted comment period for each case.

Please send comments to: landpres@baltimorecountymd.gov

- Please use the email subject - AgBd Meeting November 9, 2022 Comments
- Include your name, address, relationship to the project (landowner, landowner representative, community, contractor member, etc.), the agenda item you are commenting on, and written comments in your email.

BALTIMORE COUNTY, MARYLAND
INTRA-OFFICE CORRESPONDENCE

TO: PAI, Zoning Review

DATE: November 28, 2022

FROM: Megan Benjamin, Department of Planning

SUBJECT: Appeal-Agricultural Land Preservation Advisory Board, November 9, 2022
Elina Luarsabova-17615 Falls Road

Attached are the materials related an item taken up related to the above referenced property at the November 9, 2022 Agricultural Land Preservation Advisory Board meeting. Materials include:

- Meeting agenda
- Board packet for related item
- Slides related to this item that were shown at the meeting
- Signed form with Board's decision

Please contact me if anything else is needed (x7989)



JOHN A. OLSZEWSKI, JR.
County Executive

STEPHEN LAFFERTY, Director
Department of Planning

Baltimore County Agriculture Advisory Board
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- A. Luarsabova, Elina– 17615 Falls Road – 10.0903ac—RC2
Request: Designation of Legitimacy of Agricultural Use for construction of a barn
- B. Potepan, Frank & Ellen—2017 Western Run Road—RC2
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Next Meeting: December 14, 2022

VIII. ADJOURNMENT

III.A. Luarsabova, Elina- 17615 Falls Road – 10.0903ac—RC2

Request/s: Designation of Legitimacy of Commercial Agricultural Use for construction of a barn

Chair calls upon Megan Benjamin to provide background information.

The Luarsabova property is a 10 +/- acre property located on Falls Road in Upperco. The property is zoned RC-2.

The property is currently leased to Cold Bottom Farms. The applicant, Elina Lurasabova, has provided the Board with a farm plan detailing the plan to convert the current farming operation to an owner-operated diversified organic farm. The proposed structure is 40'x80' with a 10'x80' lean to pole building and will include a workshop/equipment storage area to house farm tools. The rest of the enclosed and finished indoor space (2800 sq.ft.) will be divided into a poultry brooder, animal feed storage, honey extraction and beekeeping storage area. The posts for the structure had been set before halting construction to resolve the question of what setbacks apply in this situation.



The Zoning Office referred the matter to the Ag Board for review and recommendation of whether or not the operation should be considered a Commercial Agricultural operation. (BCZR definition below)

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.

When the posts were set for the structure, concerns from a neighboring landowner about the setbacks were raised (letter from neighbor Jon Orens attached).

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-con't from previous page.

The property has a preferential agricultural use assessment.

A conservation plan is pending with Office of Resource Conservation at the Maryland Department of Agriculture.

Current FSA Abbreviated 156 Farm Record shows the farmland is operated by Cold Bottom Farms and by Lavender Farms, Inc.

Existing infrastructure includes: 500 square foot greenhouse; 120 square foot chicken coop with the capacity of up to 60 birds; 200 square feet storage shed; composting pit; John Deere mowing tractor with a metal dump cart; gardening equipment, battery operated 8-gallon sprayer; portable generator and propane heater.

Recommendation: Recommend that the operation is a legitimate Commercial Agricultural operation or recommend that the operation is a non-commercial agricultural operation.

Motion : _____ **2nd:** _____

A-17

RURAL ACCESSORY USES

Reference S. 400, 101, 404.2

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

To: Megan Benjamin
Northern Sector Planner
Department of Planning

Date: 10/21/2022

From: Director, Permits, Approvals & Inspection
111 W. Chesapeake Ave., Towson, Maryland

RE: Legitimacy of Farm Use	
To be supplied by applicant:	
Election District <u>Fifth District</u>	
Owner: <u>Elna Liarsaboin</u>	Phone # <u>443-932-0945</u>
Address: <u>17615 Falls Road</u>	
<u>Upperco MD 21155</u>	
Tax Account Number	
# <u>2200003251</u>	

Pursuant to the Zoning Commissioner's Policy A-17 _____ this office is officially requesting verification of the legitimacy of a farm use on the _____ referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required by the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

To Be Supplied by Applicant

1. The deed to the property
2. The state tax map for that area: Map: 0020 Block: - Parcel: 0265
3. Letter describing the farm operation
4. Photographs of the agricultural operation

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE ON THE REFERENCED PROPERTY

Yes _____ No _____ Comment _____

Signed: _____ Date: _____
Representative of the Agricultural Land Preservation Board for Baltimore County

BUSINESS PLAN 2022-2025

Lavender Farms, LLC

17615 Falls Road, Upperco MD 21155

Executive Summary

The Company, Ownership, and Credentials

The company is structured as a limited liability company (L.L.C.) and is designated by the State of Maryland Department of Assessment and Taxation as a family farm since 2018.

It currently operates in a farm industry. Farm number 3754. Conservation plan is pending with the Office of Resource Conservation at the Maryland Department of Agriculture (Contact specialist is Jeremy Carnucci at 410-527-5920 X2416).

Current FSA Abbreviated 156 Farm Record shows the farmland is operated by Cold Bottom Farms and by Lavender Farms.

The Team and their Background

The company is managed by Elina Luarsabova (owner) who has a bachelor's degree in business management and have successfully operated two businesses over the past 10 years. Elina is a resourceful project manager and a visionary. She is great at hiring help and ensuring profits. Most of the work is performed by the owner and owner's husband (Oleksandr Shevtsov). Oleksandr is a jack of all trades and handles most of the projects on the farm. He has been a licensed contractor in the state of Maryland since 2015 and holds a commercial driver's license. Helping at the farm when not at school are Elina and Oleksandr's children who are 16 and 10 years old. Their responsibilities include feeding and watering the chickens, watering the plants, working planting beds, and harvesting. In the future, farm hands and assistants will be hired to ensure proper farm operation. Veterinary and butchering services will be provided by independent contractors.

The Goal and Objectives

The goal of our company is to transition all of our farmable land to organic farming, to address erosion issues, and to be a part Maryland's sustainability movement by providing organic products, preserving the environment, and educating our customers by 2025-2026.

The strategies include land improvements, crop to pasture conversion, commitment to grazing rotation, pollinator support and bee keeping, as well as agricultural tourism.

Short term objectives (end of 2022-Winter 2023) include building a 40 ft. by 80 ft. with a 10 ft. by 80 ft. lean-to pole building with running water and electricity. Water will be supplied by the existing well (well cap is located just East of the building in the garden area. Bid was submitted by Apple Plumbing Heating

and Air, licensed in Maryland to complete the job). BGE has been contacted for bringing a separate electric meter to the building (application was submitted to their new business department on 9.8.2022, as they said that it is a lengthy process).

This structure will consist of a 400 sq. ft. workshop/equipment storage area to house farm tools and equipment with a possibility of adding a hay loft. 800 sq. ft. lean-to can be used for open-air agricultural tourism classes, seating area, and displays. The rest of the enclosed and finished indoor space (2800 sq.ft.) will be divided into a poultry brooder, animal feed storage, honey extraction and beekeeping storage area, indoor handicap accessible bathroom(s), and an enclosed "Lavender Cottage" space, which can be used for year-round workshops and classes, it can showcase Lavender Farms products and services.

Spring of 2023 Beehives will be established; tractor will be purchased to help with taking the fields out of crop, tilling, and seeding cover crop and pollinator mixes.

Summer-Fall of 2023 Will pilot a few educational classes and workshops to gauge interest and bring additional income. Will approach state programs for grants to bring veterans and disabled individuals to the farm and network with homeschool co-ops.

Winter 2023 Install pasture fencing to establish grazing rotation in the main field. Water will be brought to the field by reactivating an old frost proof hydrant at the top of the field (a bid was submitted by Apple Plumbing Heating and Air, licensed in Maryland to complete the job). Applications for state grants will need to be completed to get reimbursed for fencing and crop mixes in the following fiscal year.

Spring of 2024 Run-in sheds will be added for sheep. 10-year conservation plan includes a lighted and heated structure to support sheep breeding in the future.

Summer of 2024 Sheep will be added to the fields.

Fall of 2024: First honey harvest. First lamb meat harvest (off-site slaughtering).

Company Assets and Financials

The Company has the following assets:

500 square foot greenhouse; 120 square foot chicken coop with the capacity of up to 60 birds; 200 square feet storage shed; composting pit; John Deere mowing tractor with a metal dump cart; gardening equipment, battery operated 8-gallon sprayer; portable generator and propane heater.

At this time owners' living expenses are supported by Oleksandr's full-time job and savings. Elina has been working at the farm full-time since her graduation in May of 2022.

Since August 2016, when the property was purchased by the owners, they have funded all the improvement projects out of pocket: fruit and nut tree seedlings, lavender plants (hence the name), vegetable seeds, equipment, fencing, greenhouse and coop building materials and labor. Thus far, capital investments are valued at \$100,000+ (including pre-payments to Delmarva for the pole building).

Proposed pole building (to be delivered by Delmarva Pole Buildings pending AG board approval) was funded by owner's retirement fund via early withdrawal in 2022.

Products and Services

Once all the improvements are done (see goals and objectives), Lavender Farms products will include wildflower honey, free range organic eggs, grass fed lamb (with processing and distribution offsite), selling seasonal produce and/or canned fruit. Services will include agricultural tourism.

Marketing Plan

Target market has the following characteristics:

- Ages 5-75
- Families with young children and small friend groups
- Income \$75,000-\$150,000+
- Individuals with disabilities, homeschool cooperatives, veterans

Location Analysis

Rural open-air experiences have been in high demand, especially after the COVID-19 pandemic. There is a great unyielding interest in sustainable farming and organic products.

Pricing

The company started out with promotional pricing strategy to gain exposure and recognition. Customers like our story and our small selection of products. The eventual goal is to transition to premium pricing for products and services due to company's uniqueness and location (closer to major routes and urban areas than a competitor). Veterans and children with disabilities can be sponsored by state grants to keep the services affordable for them.

Advertising

So far advertising has been handled through social media and word of mouth.

Competitors

Baughers Orchard and Farm, Spring Meadow Farms, and The Farmyard are the big names in ag tourism in the Carroll County and North Baltimore County areas. Lavender Farms hopes to achieve a more personalized boutique-style experience offering different educational programs, unique produce in a picturesque non-commercial setting. We will not be competing with grand scale pick-your-own experiences, hayrides and mazes, and overcrowded petting zoos.

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: District - 05 Account Number - 2200003251
Owner Information

Owner Name: LUARSABOVA ELINA **Use:** AGRICULTURAL
SHEVTSOV OLEKSANDR **Principal Residence:** YES
Mailing Address: 17615 FALLS RD **Deed Reference:** /38043/ 00295
UPPERCO MD 21155-

Location & Structure Information

Premises Address: 17615 FALLS RD **Legal Description:** 10.0903 AC
UPPERCO 21155- NES FALLS RD
3500FT NWS OF CARMEL RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: **Assessment Year:** 2023 **Plat No:**
0020 0003 0265 5030002.04 0000 **Plat Ref:**
Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1991 2,806 SF 10.0900 AC 05

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
2 YES STANDARD UNITS DING/5 3 full 1 Attached

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	86,800	86,800		
Improvements	361,800	361,800		
Total:	448,600	448,600	448,600	
Preferential Land:	1,300			

Transfer Information

Seller: BORG CAMILLA	Date: 09/21/2016	Price: \$505,000
Type: ARMS LENGTH IMPROVED	Deed1: /38043/ 00295	Deed2:
Seller: MCDONALD JAMES R	Date: 06/18/1990	Price: \$115,000
Type: ARMS LENGTH IMPROVED	Deed1: /08510/ 00527	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: Approved 02/23/2017

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

1 of 2

EMERALD BAY ESCROW SERVICES, LLC
File No. 16-5110
Tax ID # 05-2200003251

This Deed, made this 15th day of August, 2016, by and between **Camilla Borg**, GRANTOR, and **Elina Luarsabova** and **Oleksandr Shevtsov**, GRANTEEES.

Witnesseth

That in consideration of the sum of Five Hundred Five Thousand and 00/100 Dollars (\$505,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantees, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

Beginning for the same at a point situated in or near the center of Falls Road said point also being South 51°24'09" East 50.22 feet as now surveyed from the end of the 21st line as described in a Deed dated February 1, 1973 and recorded among the Land Records of Baltimore County in Liber 5334, Folio 195;

1. Thence leaving Falls Road and running reversely with and parallel to and measured on a perpendicular line at a distance of 50.00 feet to the 21st, 20th, 19th, and part of the 18th lines of the aforesaid Deed, with new lines of division the following four courses and distance as now surveyed: North 43°58'42" East 655.71 feet to a point;
2. Thence North 32°33'03" East 456.2 feet to a point;
3. Thence North 47°22'56" East 97.97 feet to a point;
4. Thence North 64°57'35" East 193.79 feet to a point that intersects the Baltimore County zoning line as shown on Zoning Map NW 29H;
5. Thence running with and binding on the aforesaid zoning lines with new lines of division the following 11 courses and distances: South 09°27'45" East 38.65 feet to a point;
6. Thence South 30°04'07" East 65.86 feet to a point;
7. Thence South 09°46'57" East 58.86 feet to a point;
8. Thence South 41°40'37" East 109.79 feet to a point;
9. Thence South 21°02'15" West 13.93 feet to a point;
10. Thence North 90°00'00" West 50.00 feet to a point;
11. Thence South 12°31'44" West 18.44 feet to a point;
12. Thence South 58°52'39" East 61.91 feet to a point;
13. Thence South 22°22'48" East 202.23 feet to a point;
14. Thence South 29°50'45" East 70.33 feet to a point;
15. Thence South 47°18'33" East 99.33 feet to a point that intersects the eighth line as described in a Deed dated November 4, 1946, and recorded among the Land Records of Baltimore County in Liber 1505, Folio 223;
16. Thence leaving the aforesaid zoning line and running with and binding on part of the last mentioned eighth line, South 37°45'02" West 485.42 feet to a point;
17. Thence leaving the last mentioned eighth line and running with new lines of division the following two courses and distances: North 52°14'58" West 674.31 feet to a point;
18. Thence South 43°58'42" West 592.76 feet to a point situated in or near the center of Falls Road;
19. Thence running in or near the center of Falls Road, North 51°24'09" West 10.04 feet to a point of beginning. Containing 439,532 square feet or 10.0903 acres of land, more or less.

Deed (w Taxes)
Recording only \$120.00
Grantor/Grantee Name:
shevtsov
Reference/Control #:
LE - Deed (with Taxes)
Surcharge 40.00
LE - Deed State
Transfer Tax 2,525.00
LE - Non-Resident Tax
- linked 0.00
=====

SubTotal: 2,585.00
=====

Total: 2,645.00
09/21/2016 03:52
CC03-JF
#6969548 CC0301 -
Baltimore
County/CC03.01.02 -
Register 02

Subject to a possible future 80.00 foot right-of-way along Falls Road.

Also Subject to an ingress, egress, maintenance and utilities easement to be used in common with others and more particularly described as follows:

Beginning for the same at a point situated at the end of the 21st line as described in Deed dated February 1, 1973 and recorded among the Land Records of Baltimore County in Liber 5334, Folio 195; said point also being in or near the center of Falls Road;

1. Thence leaving said Falls Road and running reversely with and binding on the 21st, 20th, 19th and part of the 18th lines of the last mentioned Deed the following four

- courses and distances as now surveyed: North 43°58'42" East 655.42 feet to a point, being a pipe found;
2. Thence North 32°33'03" East 457.71 feet to a point, being a pipe found;
 3. Thence North 47°22'56" East 112.2 feet to a point, being a pipe found;
 4. Thence North 64°57'35" East 214.27 feet to a point intersecting the Baltimore County Zoning line as shown on Zoning Map NW 29H;
 5. Thence leaving the aforesaid 18th line and running with and binding on said zoning line the following two courses and distances: South 22°04'41" East 77.88 feet to a point, being a pipe found; Thence North 31°44'21" East 5.21 feet to a point
 6. Thence North 09°27'44" East 46.51 feet to a point;
 7. Thence leaving said zoning line and running with new line of division the following five courses and distance: South 64°57'35" West 193.79 feet to a point;
 8. Thence South 47°22'56" West 97.97 feet to a point;
 9. Thence South 32°33'03" West 456.20 feet to a point;
 10. Thence South 34°49'04" West 62.81 feet to a point;
 11. Thence South 43°58'42" West 592.76 feet to a point situated in or near the center of Falls Road;
 12. Thence leaving new lines of division and running in or near the center of Falls Road, North 51°24'09" West 60.27 feet to the point of beginning. Containing 77,350 square feet or 1.7757 acres of land, more or less.

FOR INFORMATIONAL PURPOSES ONLY:

The improvements thereon being known and designated as No: 17615 Falls Rd, Upperco, MD 21155

Tax ID #: 05-2200003251

BEING the fee simple property which, by Deed dated August 11, 1989, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 8510, Folio 527, was granted and conveyed by James R. McDonald and Joan F. McDonald unto Camilla Borg.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Elina Luarsabova and Oleksandr Shevtsov, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant Specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

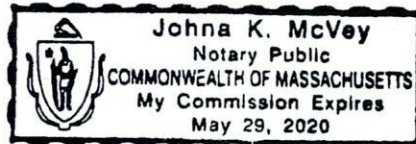
Aug. 5, 2016

Camille Borg (SEAL)
Camilla Borg

STATE OF Massachusetts } ss
COUNTY OF Dukes

I hereby certify that on this 15 day of August, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Camilla Borg, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name are subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



[Signature]
Notary Public
My Commission Expires: 5/29/2020

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

[Signature]
Sofya Pokov, Esq.

AFTER RECORDING, PLEASE RETURN TO:
EMERALD BAY ESCROW SERVICES, LLC
4 PARK CENTER COURT
SUITE 200A
OWINGS MILLS, MD 21117

MARYLAND
FORM
WH-ARCertification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence

2016

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Camilla Borg

2. Reasons for Exemption

Resident Status

☐

I, Transferor, am a resident of the State of Maryland.

☐

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☒

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Camilla Borg

Name

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

Title

File No. 16-5110

OWNER OCCUPANCY AFFIDAVIT

Elina Luarsabova and Oleksandr Shevtsov, the Grantees in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by us.

WITNESS:

As to All

Elina Luarsabova (SEAL)

Elina Luarsabova

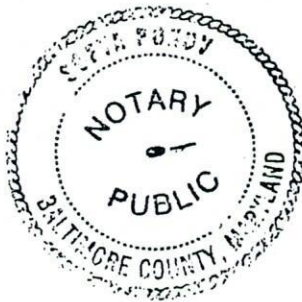
Oleksandr Shevtsov (SEAL)

Oleksandr Shevtsov

STATE OF MARYLAND, Baltimore, to wit:

I HEREBY CERTIFY, that on this 15 day of August, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Elina Luarsabova and Oleksandr Shevtsov, the parties herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



[Signature]
Notary Public

My Commission Expires: 1.15.2017

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

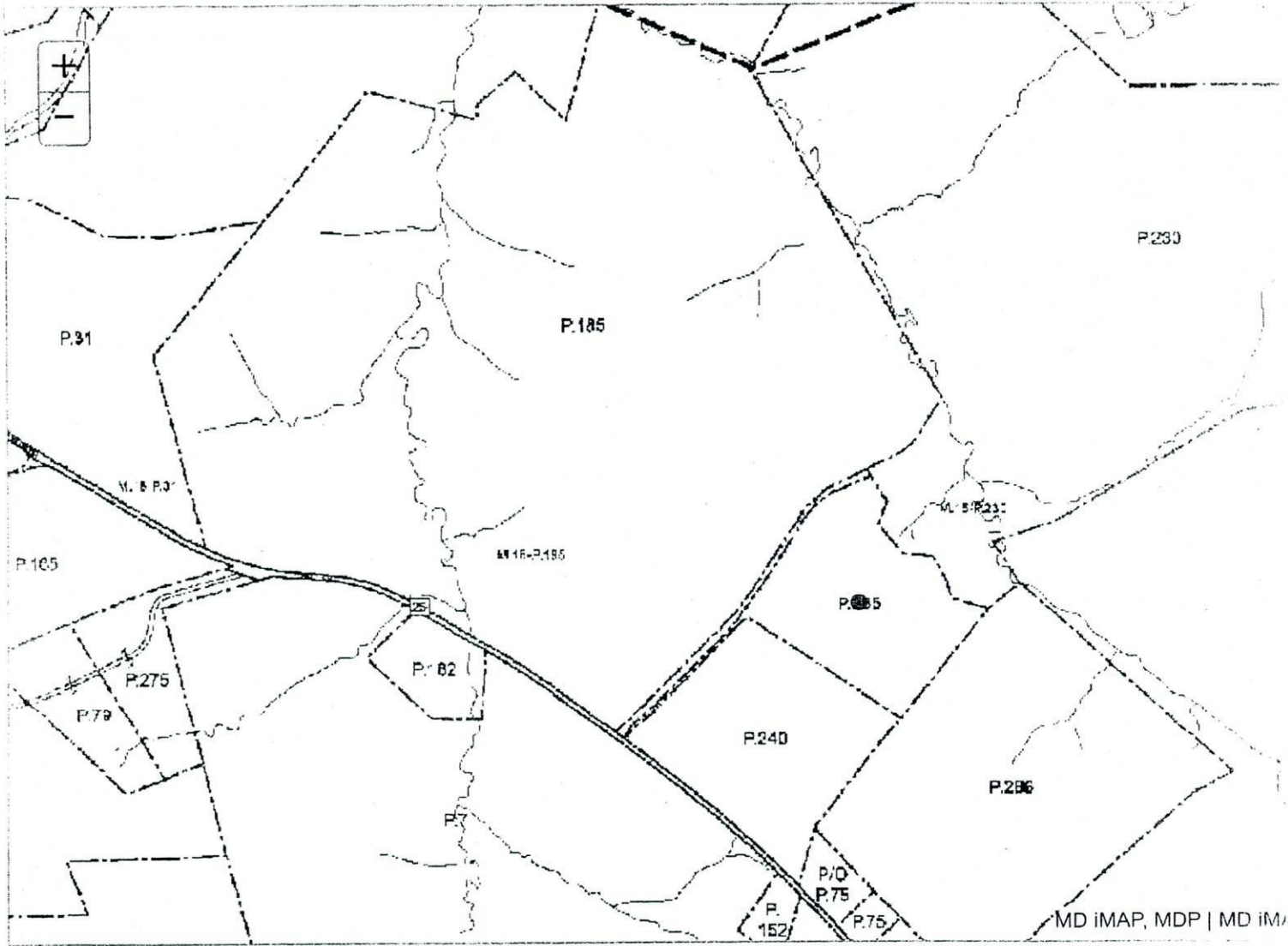
1	Type(s) of Instruments	(☐ Check Box if addendum Intake Form is Attached.)						
		☒ Deed	☐ Mortgage	☐ Other _____	☐ Other _____			
2	Conveyance Type Check Box	☒ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms-Length [3]	☐ Not an Arms-Length Sale [9]			
3	Tax Exemptions (if applicable) Cite or Explain Authority	Recordation	purchase					
		State Transfer						
		County Transfer						
4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration				
		Purchase Price/Consideration	\$ 505,000.00	Transfer Tax Consideration	\$			
		Any New Mortgage	\$ 454,500.00	X () % =	\$			
		Balance of Existing Mortgage	\$	Less Exemption Amount	\$			
		Other:	\$	Total Transfer Tax	\$	7245.00		
		Other:	\$	Recordation Tax Consideration	\$			
		Full Cash Value:	\$	X () per \$500 =	\$	2525.00		
		TOTAL DUE		\$				
5	Fees	Amount of Fees	Doc. 1	Doc. 2	Agent:			
		Recording Charge	\$ 20.00	\$ 20.00				
		Surcharge	\$ 40.00	\$ 40.00	Tax Bill:			
		State Recordation Tax	\$ 2,525.00	\$				
		State Transfer Tax	\$ 2,525.00	\$	C.B. Credit:			
		County Transfer Tax	\$ 7,245.00	\$				
		Other	\$	\$	Agt. Tax/Other:			
		Other	\$	\$				
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOC	
			05-2200003251	8510/527			☐ (5)	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plot Ref.	Sq Ft/Acreage (4)
		Location/Address of Property Being Conveyed (2)						
		17615 Falls Road, Upperco, MD 21155						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: N/A						
		Partial Conveyance? ☐ Yes ☐ No Description/Amt. of Sq Ft/Acreage Transferred:						
		If Partial Conveyance, List Improvements Conveyed:						
7	Transferred From	Doc. 1 – Grantor(s) Name(s)			Doc. 2 – Grantor(s) Name(s)			
		Camilla Borg			Elina Luarsabova			
					Oleksandr Shevtsov			
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)			Doc. 2 – Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1 – Grantee(s) Name(s)			Doc. 2 – Grantee(s) Name(s)			
		Elina Luarsabova			Community Mortgage Group, Inc, ISAOA/ATIMA			
		Oleksandr Shevtsov						
		New Owner's (Grantee) Mailing Address						
17615 Falls Road, Upperco, MD 21155								
9	Other Names to Be Indexed	Doc. 1 – Additional Names to be Indexed (Optional)			Doc. 2 – Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person					☒ Return to Contact Person	
		Name: Irina Brukhman					☐ Hold for Pickup	
		Firm: EMERALD BAY ESCROW SERVICES, LLC						
		Address: 4 PARK CENTER COURT, SUITE 200A						
OWINGS MILLS, MD 21117 Phone: (443) 522-9868					☒ Return Address Provided			
11		IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER						
		☒ Yes	☐ No	Will the property being conveyed be the grantee's principal residence?				

Space Reserved for Circuit Court Clerk Recording Validation

Baltimore County

New Search (<https://sdat.dat.maryland.gov/RealProperty/>)

District: **05** Account Number: **2200003251**



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

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

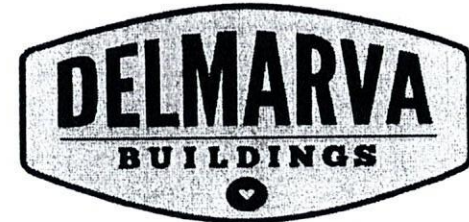
Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

BUILDING LAYOUT

Building Layout Specially
Prepared for:

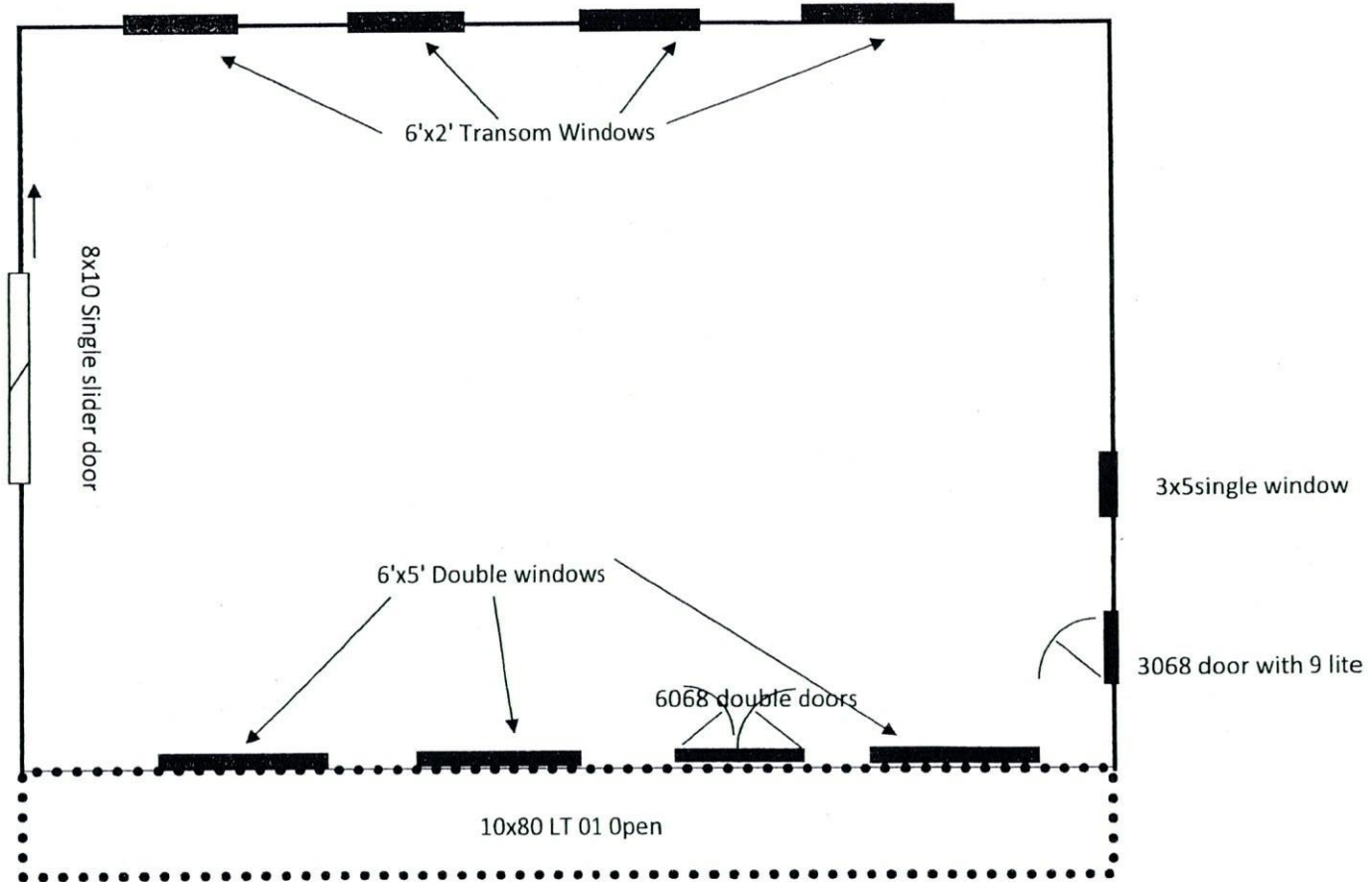
Elina laurasobova



EAVE 80

GABLE

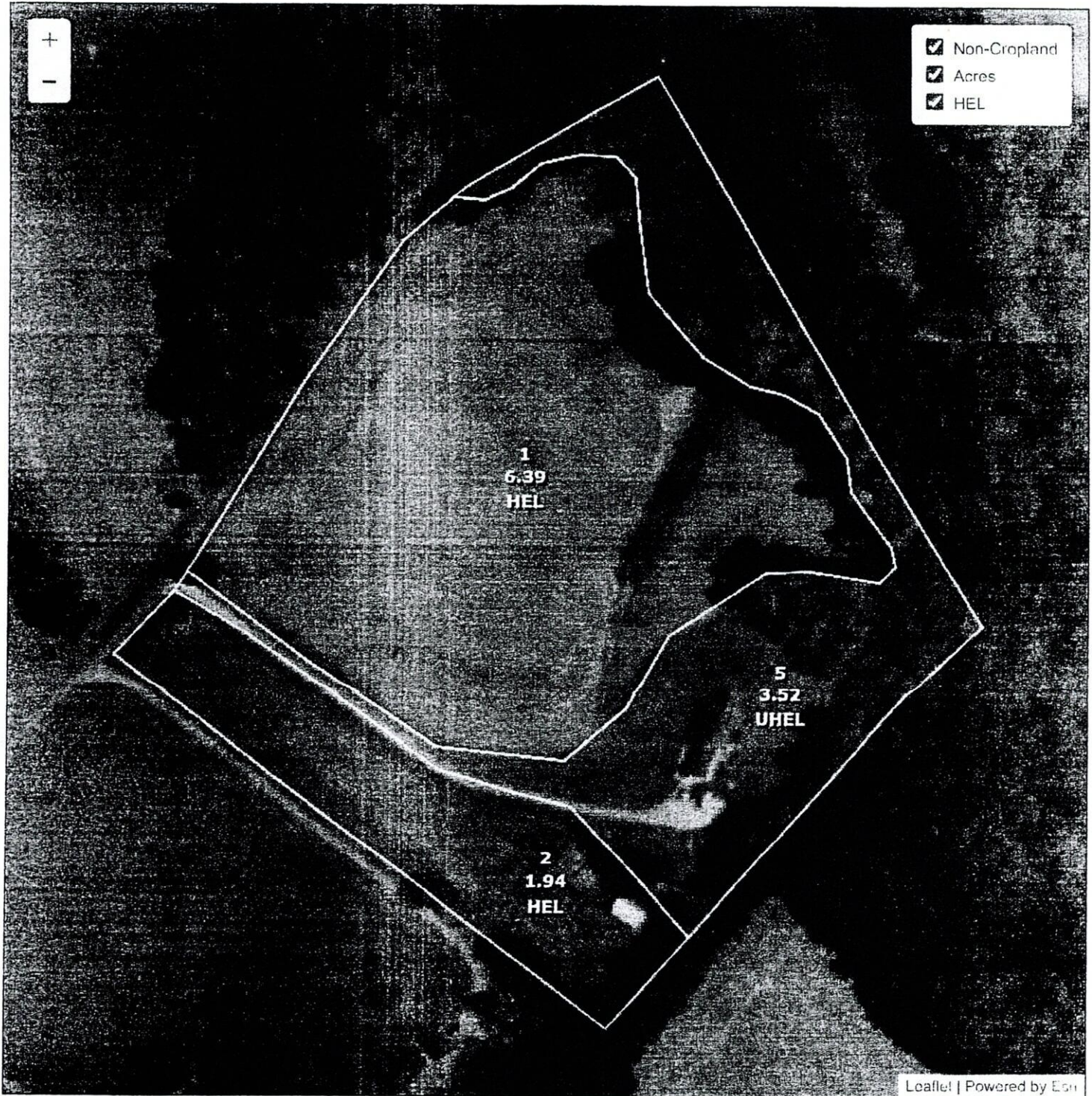
40



Sales Person Signature: _____ Date Signed _____

Customer Signature: _____

Date Signed: _____



Common Land Unit

Cropland ☐ Non-cropland ☐ CRP

Farm 3754

Tract 2153

Wetland Determination Identifiers

● Restricted Use

○ Limited Restrictions

□ Exempt from Conservation Compliance Provisions

2022 Crop Year



Tract 1 of 1

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

MARYLAND
BALTIMOREUnited States Department of Agriculture
Farm Service Agency

FARM : 3754

Prepared : 10/18/22 9:37 AM CST

Form: FSA-156EZ

Crop Year : 2023

See Page 2 for non-discriminatory Statements.

Abbreviated 156 Farm Record

Operator Name : COLD BOTTOM FARMS INC
 CRP Contract Number(s) : None
 Recon ID : None
 Transferred From : None
 ARCPLC G//F Eligibility : Eligible

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
11.85	8.33	8.33	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag. Rel. Activity	Broken From Native Sod
0.00	0.00	8.33	0.00		0.00		0.00	0.00	0.00

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN	None

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield	HIP
Corn	8.00	0.00	112	
TOTAL	8.00	0.00		

NOTES

Tract Number : 2153

Description : Not Applicable
 FSA Physical Location : MARYLAND/BALTIMORE
 ANSI Physical Location : MARYLAND/BALTIMORE
 BIA Unit Range Number :
 HEL Status : HEL field on tract. Conservation system being actively applied
 Wetland Status : Wetland determinations not complete
 WL Violations : None
 Owners : ELINA LUARSABOVA, OLEKSANDR SHEVTSOV
 Other Producers : LAVENDER FARMS LLC
 Recon ID : None

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
11.85	8.33	8.33	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Rel. Activity	Broken From Native Sod
0.00	0.00	8.33	0.00	0.00	0.00	0.00	0.00

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Corn	8.00	0.00	112
TOTAL	8.00	0.00	

MARYLAND
BALTIMORE

Form: FSA-156EZ



United States Department of Agriculture
Farm Service Agency

Abbreviated 156 Farm Record

FARM : 3754

Prepared : 10/18/22 9:37 AM CST

Crop Year : 2023

Tract 2153 Continued ...

NOTES

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all prohibitions apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) e-mail: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Megan Benjamin

From: Jonathan Orens <jorens@jhmi.edu>
Sent: Friday, October 28, 2022 1:21 PM
To: PAI Zoning; Jeffrey N Perlow; jper@baltimorecountymd.gov
Cc: Megan Benjamin
Subject: Barn construction at 17615 Falls Rd, Upperco, MD
Attachments: view from our front porch.jpg

CAUTION: This message from prvs=2933de93d=jorens@jhmi.edu originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear Mr. Perlow (cc Megan Benjamin),

Thanks for taking the time to speak with me last week regarding the barn construction adjacent to our property. Since I will be attending the Ag Board meeting and plan to speak about our opposition to the location of the building, I would like to make sure I have all of the facts correct regarding the current zoning rules for RC2 property. What I gleaned from our conversation is that the structure could be one of three types: 1) a regular Ag barn, 2) a commercial Ag barn or 3) an accessory building. A barn of this size would only have an exception to the setback rules if it were a commercial barn. If not truly a commercial barn, a non-commercial Ag barn would be subject to the setback rules of 35 feet. If not truly an Ag barn, then it would be considered an accessory building and an accessory building of this size would be subject to the height and setback rules (i.e., no taller than 15 feet, and would need to be located behind the rear line of the house etc.). If deemed not to be a commercial barn, then an Ag building/barn of this size would need to be granted a variance to avoid these regulations/codes.

The barn is truly huge, particularly for a little 10-acre farmette. It is almost **75 feet in length** and is indeed much closer than 35 feet from our property line in violation of the setback rules. My wife and I are truly heartbroken by the impact of this building to us and our property. Not only is this a huge structure, in close proximity to our house in our direct line of sight from the front and side of our home, but our real estate agent estimates the structure in this location will have a significant negative impact on the value of our property of a minimum of \$50,000.00.

We moved to rural Baltimore County to enjoy the views, open space and bucolic surroundings. We searched for 15 years to find the property we now call home. It was because of our love for these views and the land that we acquired the 111 acres adjacent to our 10-acre home parcel. We placed that land in conservation easement to prevent that acreage from being turned into a housing development. Our neighbors enjoy these same bucolic views that we preserved. We never anticipated that our neighbors would inconsiderately box us in with a disproportionately large metal building on the edge of our property toward the side and front of our home disregarding the setback code. I realize that my neighbors can attempt to get around the codes through either a variance or trying to falsely label the barn as a commercial Ag barn. Their property is not a commercial farm, they own some chickens but do not own farm equipment-They lease a portion of their acreage to Cold Bottom Farms and do not farm that acreage themselves. We therefore believe this to be a regular (non-commercial) Ag barn and allowing the barn to be built in the current location in violation of the

code would be against the rules, and against the spirit of the rules! We believe this is the reason for a zoning board to prevent manipulation of the rules.

In the nicest possible way, we asked our neighbors to move the barn to another location on their 10-acres before any further construction takes place. They told us they didn't have the funds to pay for regrading in another location, so we generously offered to cover this expense. Despite this offer, they gave several other reasons why they didn't want to move it, none of which sounded compelling. When we constructed our barn, we went through all the appropriate steps and worked with Wally Lippincott and the Ag Board to site our barn in the most aesthetically pleasing location and had the approval of both Wally and the Board who came out for a site visit. Not only did the board want to fully understand the use of our proposed barn but they also wanted to know the type of equipment we would be storing, etc. It was during that interaction, that Wally explained the 35-foot setback restrictions for the barn.

My wife and I want to make sure that Zoning is aware of our objection to the barn being built in its current location. We are rather certain that if construction continues any further, the barn will likely be a permanent fixture in its current location. While we didn't want to create a conflict with our neighbors by filing a formal complaint, we worry that by not telling the Zoning Board in a more formal way about our objection to the code violation and location of the structure that it might be misconstrued as an approval. We also worry that the Ag Board might simply approve the building since the posts are already in the ground.

We realize that you need to remain neutral in these situations. While we plan to voice our concerns at the Ag Board meeting on November 9th, but we would be grateful if you would let us know if there are any other options we have with Zoning and the Ag Board to be properly heard and to best protect our rights in this matter. If you prefer to discuss by phone, my cell is 410-804-5345.

Photo attached.

Sincerely,

Jonathan B. Orens
17609 Falls Rd, Upperco, MD 21155

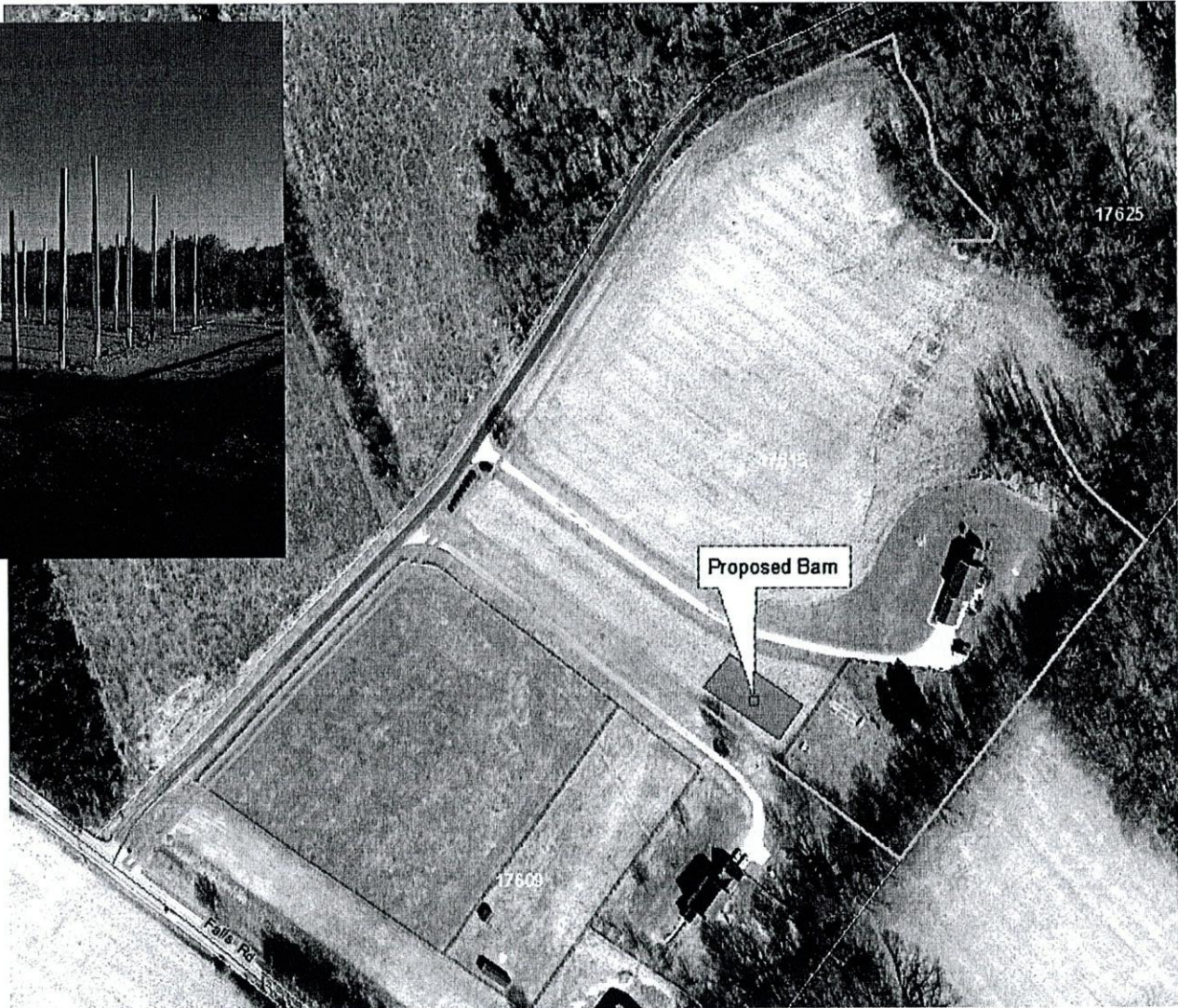
III. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS

A. Luarsabova, Elina— 17615 Falls Road — 10.0903ac—RC2

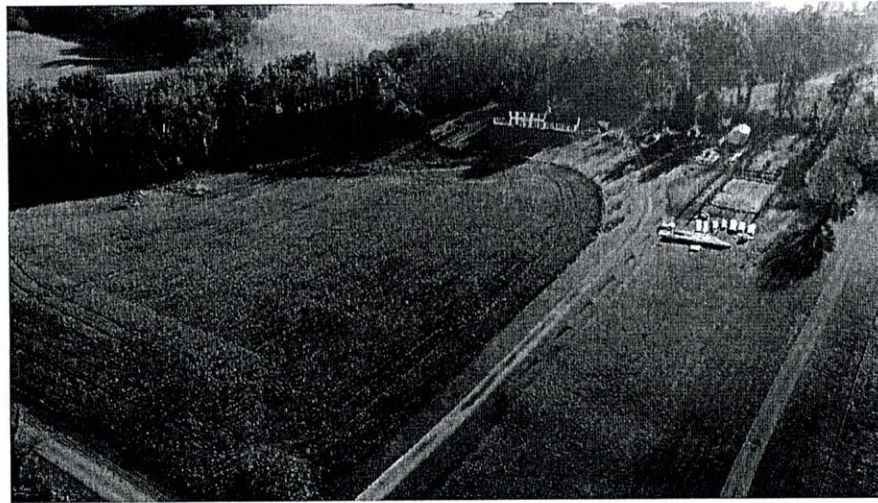
Request: Designation of Legitimacy of Agricultural Use for construction of a barn

BCZR Section 101 Definitions

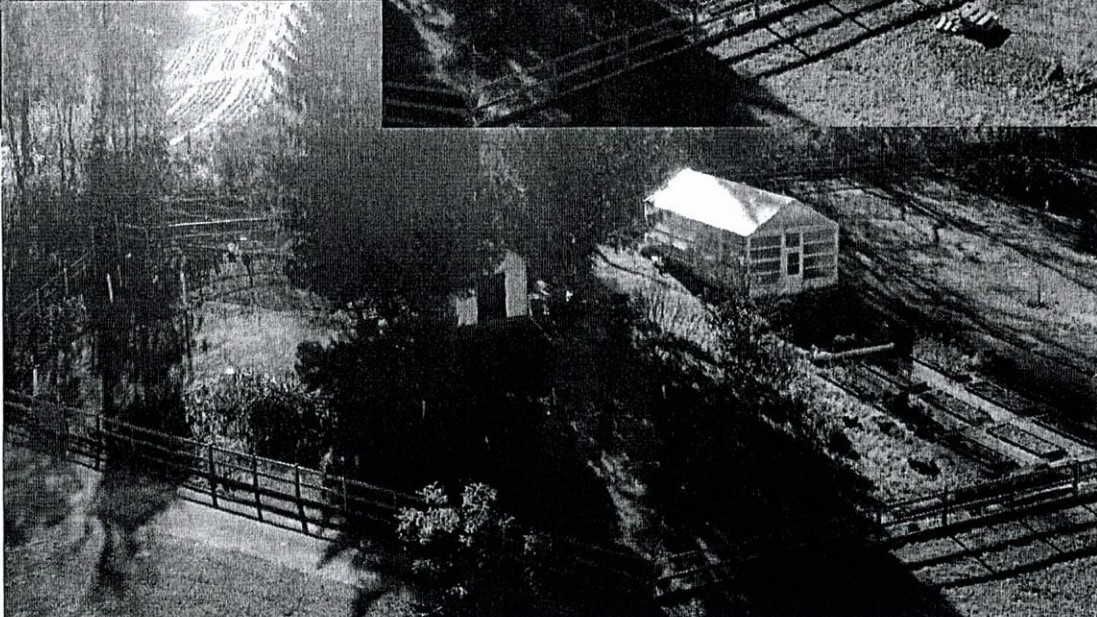
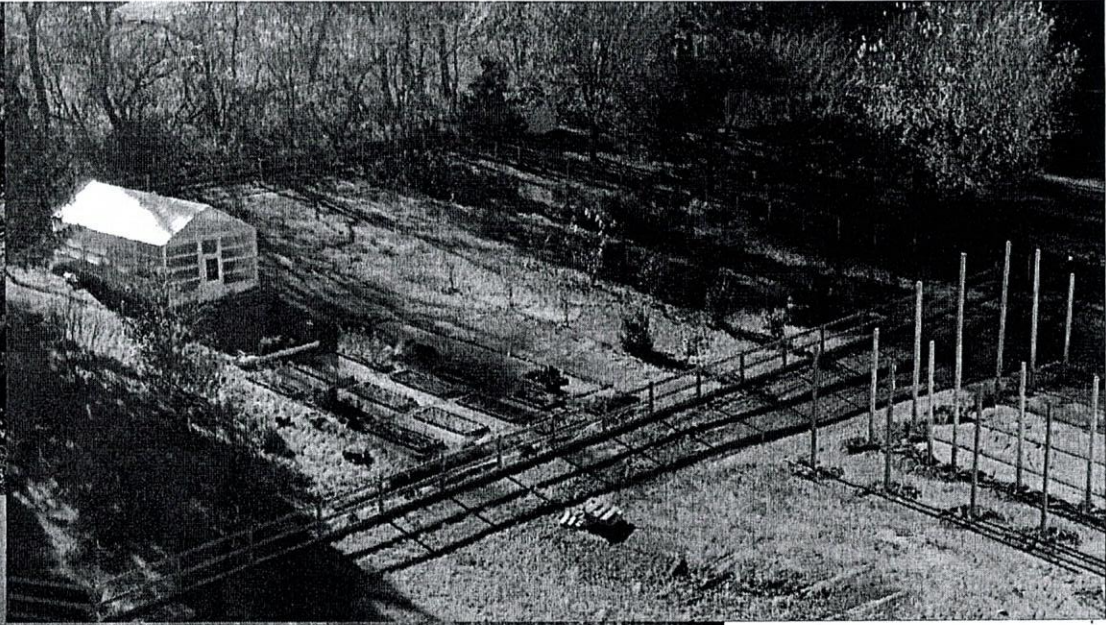
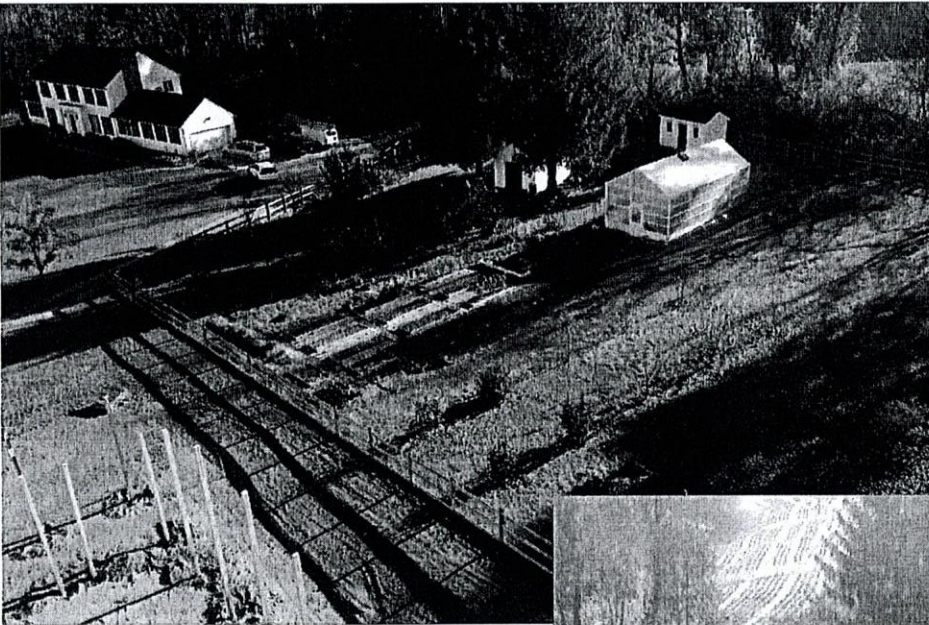
AGRICULTURE, COMMERCIAL — The use of land, including ancillary structures and buildings, to cultivate plants or raise or keep animals for income, provided that the land also qualifies for farm or agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland, 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.



UA-2022-0001-AB



UA 2022-0001-AB



2022-0001-AB

A-17

RURAL ACCESSORY USES

Reference S. 400, 101, 404.2

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

To: Megan Benjamin
Northern Sector Planner
Department of Planning

Date: 10/21/2022

From: Director, Permits, Approvals & Inspection
111 W. Chesapeake Ave., Towson, Maryland

RE: Legitimacy of Farm Use	
To be supplied by applicant:	
Election District <u>Fifth District</u>	
Owner: <u>Elena Liliarsabrie</u>	Phone # <u>443-732-0945</u>
Address: <u>17615 Falls Road</u>	
<u>Upper MD 21155</u>	
Tax Account Number	
# <u>2200004251</u>	

Pursuant to the Zoning Commissioner's Policy A-17 _____ this office is officially requesting verification of the legitimacy of a farm use on the _____ referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required by the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

To Be Supplied by Applicant

1. The deed to the property
2. The state tax map for that area: Map: 1000 Block: - Parcel: 0265
3. Letter describing the farm operation
4. Photographs of the agricultural operation

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE ON THE REFERENCED PROPERTY

Yes ☒ No ☐ Comment Based on the BCZR definition of Commercial Agriculture, the barn is for Commerical Ag purposes. Recommed further discussoin between neighbors to see if a 35' setback can be reached.

Signed: Megan Benjamin Date: 11/11/22
Representative of the Agricultural Land Preservation Board for Baltimore County
on behalf of Steve Meyer, Chair