



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

September 28, 2023

Tracy Thompson and Joshua Marino – josh3@vt.edu
2501 Offutt Road
Woodstock, MD 21163

RE: Petition for Administrative Variance
Case No. 2023-0173-A
Property: 2501 Offutt Road

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in blue ink, reading "Paul M. Mayhew", is written over the printed name.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(2501 Offutt Road)		
2 nd Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
	*	HEARINGS FOR
Tracy Thompson & Joshua Marino		
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0173-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Tracy Thompson and Joshua Marino (“Petitioners”) for the property located at 2501 Offutt Road, Woodstock. The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”) § 1A07.8.C.2.g to permit an accessory structure (horse run-in shelter) in the front yard, in lieu of the side or rear yard only placement. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. A ZAC comment was received by the Department of Environmental Protection and Sustainability (“DEPS”) dated September 19, 2023, indicating that if the zoning variance is granted, Ground Water Management (“GWM”) requests that it be conditioned to include the following: The septic system components must be located, shown on a revised plan and meet the required setbacks for septic systems and sewage disposal areas.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 9, 2023 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

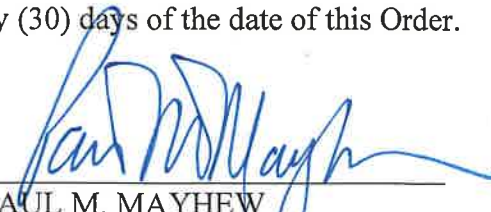
The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

THEREFORE, IT IS ORDERED, this 28th day of **September, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (“BCZR”) § 1A07.8.C.2.g to permit an accessory structure (horse run-in shelter) in the front yard, in lieu of the side or rear yard only placement, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners must comply with the DEPS ZAC comment, dated September 19, 2023; a copy of which is attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County



ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 2501 Offutt Rd, Woodstock, MD 21163 Currently Zoned _____
Deed Reference 38036 / 00177 10 Digit Tax Account # 0 2 1 9 5 1 0 4 2 0
Owner(s) Printed Name(s) Tracy Thompson

(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)

BCZR 1A07.8.C.2.g. To permit an accessory structure (horse run-in shelter) in the front yard, in lieu of the side or rear yard only placement.

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 zoning regulations of Baltimore County, to the zoning 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):

<u>Tracy Thompson</u>		<u>Joshua Marino</u>	
Name #1 – Type or Print		Name # 2 – Type or Print	
<u>Tracy Thompson</u>		<u>Josh Marino</u>	
Signature #1		Signature # 2	
<u>2501 Offutt Rd</u>		<u>Woodstock MD</u>	
Mailing Address		City State	
<u>21163 / 804-517-7487 / 304-588-6193</u>		<u>josh3@vt.edu</u>	
Zip Code		Telephone #'s (Cell and Home) 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:

Josh Marino
Name - Type or Print _____
Signature Josh Marino _____
2501 Offutt Rd Woodstock MD
Mailing Address City State
21163 / 804-517-7487 / josh3@vt.edu
Zip Code Telephone # 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 2023-0170-A Filing Date 8 / 28 / 23 Estimated Posting Date 9 / 10 / 23 Reviewer SC

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: 2501 Offutt Rd, Woodstock, MD 21163
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 am wanting to build an accessory structure in front yard, and was
told we needed to fill out a variance. We want to build it in front
yard because that is where the horse pasture is located; it is fully
contained in the front yard and cannot be moved. The accessory structure
is a horse shelter (run-in for three horses in fenced-off pasture) on front
property, of sfd. 16' x 20' = 320 sf. There will be no planned
electrical work, water, plumbing, etc. The horse shelter is three walls and
a roof, with maximum height of 12'.
The structure cannot go on side or rear of house since there is not
sufficient room to hold three horses and accessory structure.

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

Tracy Thompson
Signature of Owner (Affiant)

Josh Marino
Signature of Owner (Affiant)

Tracy Thompson
Name - Print or Type

Josh Marino
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 24 day of August, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

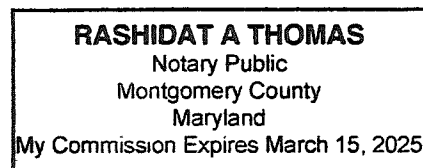
Print name(s) here: Tracy Thompson and Josh Marino

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

March 15th 2025
My Commission Expires



THE ZONING PETITION PROPERTY DESCRIPTION

Part A:

ZONING PROPERTY DESCRIPTION FOR: 2501 Offutt Rd, Woodstock, MD 21163

Beginning at a point on the East side of Offutt Rd which is 20' wide at the distance of 800' East of the centerline of the nearest improved intersecting street Granite Rd which is 22' wide.

PART B:

Thence the following courses and distances: (1st Point of Call- "POC") $39^{\circ}21'15.8''\text{N } 76^{\circ}50'01.9''\text{W}$, (2nd POC) $39^{\circ}21'12.5''\text{N } 76^{\circ}49'55.2''\text{W}$, (3rd POC) $39^{\circ}21'10.0''\text{N } 76^{\circ}50'00.4''\text{W}$, and (4th POC) $39^{\circ}21'10.4''\text{N } 76^{\circ}50'04.2''\text{W}$. 250', back to the point of beginning as recorded in Deed Liber 38036, Folio 00177, containing 5.5 acres in lot. Located in the 2nd Election District and 4th Council District.

2023-0173-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023 - 173 -A Address 2501 Offutt Road

Contact Person: Shaun Crawford Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/28/23 Posting Date: 9/10/23 Closing Date: 9/25/23

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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023 - 173 -A Address 2501 Offutt Road

Petitioner's Name: Tracy Thompson Telephone (Cell) 804-517-7487

Posting Date: 9/10/23 Closing Date: 9/25/23

Wording for Sign: To Permit an accessory structure (horse
run-in) in the front yard, in lieu of the
side or rear yard only placement

Revised 1/2022

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 19, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0173-A
Address: 2501 OFFUTT RD
Legal Owner: Tracy Thompson, Joshua Marino

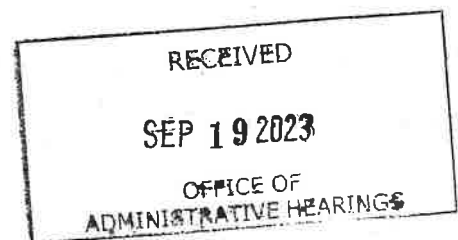
Zoning Advisory Committee Meeting of September 18, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. The septic system components must be located, shown on a revised plan and meet the required setbacks for septic systems and sewage disposal areas.

Additional Comments:

Reviewer: Mia Lowery, L.E.H.S.



BALTIMORE COUNTY, MARYLAND

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Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
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Additional Comments:

Reviewer: Mia Lowery, L.E.H.S.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/9/2023

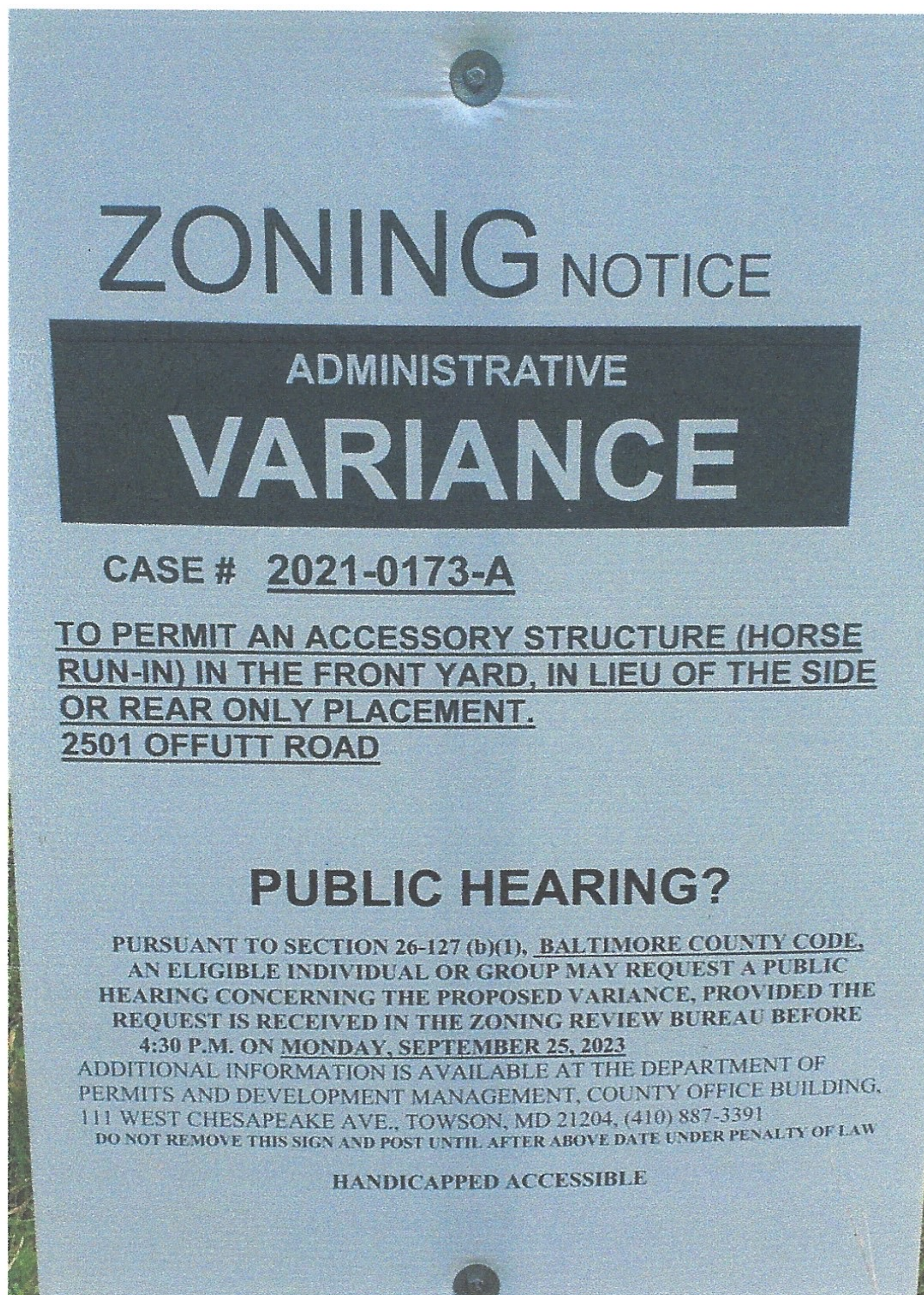
Case Number: 2023-0173-A

Petitioner / Developer: TRACY THOMPSON ~ JOSH MARINO

Date of Closing: SEPTEMBER 25, 2023

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
2501 OFFUTT ROAD

The sign(s) were posted on: SEPTEMBER 9, 2023



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



1ST SIGN

2ND SIGN

Posted @ 2501 Offutt Road ~ 9/9/2023

CASE # 2023-0173-A

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 02 Account Number - 0219510420

Owner Information

Owner Name:	THOMPSON TRACY	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	2501 OFFUTT RD WOODSTOCK MD 21163-1122	Deed Reference:	/38036/ 00177

Location & Structure Information

Premises Address:	2501 OFFUTT RD WOODSTOCK 21163-1122	Legal Description:	3 & PRT AC SS OFFUTT RD 2640FT E GRANITE RD
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0076	0022	0057	2060086.04	0000				2022	
									Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1959	1,767 SF	800 SF	3,5300 AC 04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	YES	STANDARD UNIT	BRICK/ 3	2 full	1Att/1Det		

Value Information

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	87,700	87,700		
Improvements	209,100	223,700		
Total:	296,800	311,400	306,533	311,400
Preferential Land:	0	0		

Transfer Information

Seller: JONES LISA M	Date: 09/21/2016	Price: \$349,900
Type: ARMS LENGTH MULTIPLE	Deed1: /38036/ 00177	Deed2:
Seller: SMITH THOMAS R	Date: 10/06/2011	Price: \$280,900
Type: NON-ARMS LENGTH OTHER	Deed1: /31258/ 00199	Deed2:
Seller: HOFFMAN RALPH G	Date: 08/15/1958	Price: \$4,000
Type:	Deed1: /03399/ 00083	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 09/19/2017

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

52







2200012827

2021-0286-A

0219000560

1600008620

Lot # 9 2200012829
Pt. Bk. 0000064, Folio 0104

2508

0211151700
2015-0238-A

0223000840

2507

1600010326

PAI # 020275

Pt. Bk./Folio # 064104

PAI # 020275

PAI # 020275

Lot # 10 2200012830

RC6

NW6-K

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

0203370210

2503

2501

0219510420

0219510421

1700005722
2426

Lot # 11 2200012831

4 CD 2 ED

076B3

12

Lot # 56 2200022897

12

Pt. Bk./Folio # 065083

Pt. Bk. 0000068, Folio 0083

2200022890

Lot # 57 2200022898

10

PAI # 020519

Lot # 58 2200022899

PAI # 020519

Pt. Bk./Folio # 067083

Lot # 59 2200022900
Pt. Bk. 0000067, Folio 0083

1997-0192-SPH

RC5

2425

0219712230

PAI # 020275

PAI # 020519

Lot # 50 2200022896

PAI # 020519

PAI # 020519

2200023322

Lot # 49

2200022902

2200022901

Lot # 60

2200022903

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

ADDRESS 2501 Offutt Rd OWNER(S) NAME(S) Tracy Thompson

SUBDIVISION NAME N/A LOT # N/A BLOCK # N/A SECTION # N/A

PLAT BOOK # N/A FOLIO # N/A 10 DIGIT TAX # 0219510420 DEED REF. # 38036/00177

N76°50'0"W

660'

2508

N39°21'15"W

OFFUTT RD

20 FT R/W

2426



Proposed
Accessory
Structure
(16' x 20')

FRONT

64' Well

Shed

Garage

2501

Barn

10

House

12

House

Autumn
Blaze Ct

8

PLAN DRAWN BY Josh Marino DATE 7/18/23 SCALE: 1 INCH = 60 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 007683

SITE ZONED RC6

ELECTION DISTRICT 2nd

COUNCIL DISTRICT 4th

LOT AREA ACREAGE 5.5

OR SQUARE FEET _____

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH?

WATER IS:

PUBLIC _____ PRIVATE ☒

SEWER IS:

PUBLIC _____ PRIVATE ☒

PRIOR HEARING? No

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2023-0173-A