



JOHN A. OLSZEWSKI, JR.  
County Executive

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
ANDREW M. BELT  
Administrative Law Judge  
DEREK J. BAUMGARDNER  
Administrative Law Judge

November 28, 2023

James West, Esquire – [jay.west@wealaw.com](mailto:jay.west@wealaw.com)  
West Edwards & Associates, LLC  
409 Washington Avenue, Suite 1010  
Towson, MD 21204

RE: Petition for Variance  
Case No. 2023-0183-A  
Property: 17511 Prettyboy Dam Road

Dear Mr. West:

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 black ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT  
Administrative Law Judge  
for Baltimore County

AMB:dlm  
Enclosure

c: Bruce E. Doak – [bdoak@bruceedoak.com](mailto:bdoak@bruceedoak.com)  
Glenn and Kimberly Day, Christopher and Tiffany White – [tiffany@bigtruckfarms.com](mailto:tiffany@bigtruckfarms.com)  
Glenn Day – [glenn002@aol.com](mailto:glenn002@aol.com)  
Bridget McDonie – [bridgetmcdonie@gmail.com](mailto:bridgetmcdonie@gmail.com)  
Eric Wright – [ekwright89@gmail.com](mailto:ekwright89@gmail.com)  
Tiffany – [tiffany@bigtruckfarms.com](mailto:tiffany@bigtruckfarms.com)

**IN RE: PETITION FOR VARIANCE**  
**(17511 Prettyboy Dam Road)**  
7<sup>th</sup> Election District  
3<sup>rd</sup> Council District  
Glenn and Kimberly Day  
Christopher and Tiffany White

**Petitioners**

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS OF  
\* BALTIMORE COUNTY  
\* **CASE NO. 2023-0183-A**

\* \* \* \* \*

### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Glenn and Kimberly Day and Christopher and Tiffany White (“Petitioners”) for property located at 17511 Prettyboy Dam Road, Parkton (the “Property”). The Petitioners are requesting Variance relief to permit a horse trailer to be parked in the side yard in lieu of the required rear half of the 7.06-acre subject property per Baltimore County Zoning Regulations (“BCZR”) § 415.3.C.1. To permit a second horse trailer to be stored or parked on the residential 7.06-acre subject property per BCZR § 415.3.C.1. To permit a second recreational trailer to be stored on a 7.06-acre parcel of land occupied by a single-family dwelling per BCZR § 415A.1.A. To permit any such further relief as may be deemed necessary by the Administrative Law Judge (“ALJ”).

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner Christopher White, appeared along with Petitioners’ attorney, James H. West from West Edwards & Associates, LLC. Bruce E. Doak of Bruce E. Doak Consulting, LLC was also present. Protestant, Eric Wright, owner of the property directly across from the subject property, appeared *pro se*.

A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”) stating that they did not oppose the requested relief.

The Property is 7.06 acres and is zoned RC 8. A site plan was prepared by Bruce Doak Consulting, LLC. (Pet. Ex. 1). The property features a residential single-family dwelling, a horse shed and stables. The rear of the property contains a foraging style goat enclosure surrounded by wire fencing.

The Property is occupied by Petitioners, Christopher and Tiffany White, their children and Tiffany's parents, Glen and Kimberly Day. Petitioner, Christopher White testified that the family owns several horses and goats and that both horse trailers now on the property are necessary for transporting animals to veterinarian appointments and shows. Mr. White also explained that his daughter was very active in 4H activities which necessitated the transport of the animals as well. Both the Whites and the Days own recreational vehicles ("RVs") (trailers that are transported via pick-up truck) which are used several times a month for family trips. Mr. White provided a letter from a RV park evidencing that they are on a waiting list for a permanent location for the RVs in an RV park off property. (Pet. Ex.6). Mr. White also provided several letters of support from his surrounding neighbors. (Pet. Ex. 7A-7E).

Petitioners' witness Bruce Doak was accepted as an expert in surveying and in interpreting the Baltimore County Zoning Regulations. Mr. Doak testified that subject Property was "unique" in that the area behind the residence was occupied by the goat enclosure. Additionally, the area behind the goat enclosure was wooded, with sloping topography, making the storage and maneuverability of horse trailers impractical. Mr. Doak testified that the Petitioners are proposing to store one horse trailer on the side of the property, and store another horse trailer and the two RVs directly to the right and left side of the residence where a six-ft. privacy fence has been constructed to further shield the vehicles from public view. (Pet. Ex. 5A).

Protestant, Eric Wright testified that his family has lived in the area for decades and that he had previously approached the Petitioners about parking their RVs and horse trailers in their

front driveway, which is directly visible from the Protestant's property. Mr. Wright provided photographs of the trailers and RVs in the Petitioners' driveway prior to their removal to the side of the Petitioners property. (Prot. Ex. 1-4) Mr. Wright testified that he attempted to find a compromise solution with the Petitioners as to the issue but ultimately had to employ the assistance of Baltimore County Code Enforcement to get the situation remedied. Mr. Wright testified that that the trailers and RVs are still visible from his property despite the Petitioners' construction of the six-ft. privacy fence and fears that the appearance of vehicles on the Petitioners' property will detrimentally affect the value of his property if he chooses to sell it in the future.

### VARIANCES

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).

#### *Variance Allowing for Second RV*

Petitioners are requesting variance relief to keep to RVs on the subject Property. The relevant Code section addressing RVs on residential lots reads as follows:

#### BCZR, §415.A.1. Recreational vehicles on residential lots

Contrary provisions of these regulations notwithstanding, one recreational vehicle may be stored on a residential lot as set forth below. Such vehicle, except a truck camper, shall have a current license, may not be lived in, or otherwise occupied, when stored on a lot and shall be mechanically ready to move at any time. A recreational boat, whether mounted on a trailer or stored on land with or without the use of supports, is subject to these provisions. A boat less than 16 ft. in length is not subject to these provisions, except when such boat is mounted on a trailer. The space occupied by such a recreational vehicle or boat may be counted as a required parking space.

- A. On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 ½ ft. from any rear or side lot line, however, when in a side yard it must be situated at least eight ft. to the rear of a lateral projection of the front foundation line of the dwelling. Such a vehicle may be stored in any garage.

BCZR, §307.1 states as follows:

The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare...."

The express language of BCZR, §307.1 reads that OAH only has the authority to grant zoning variances from 'height and area regulations' due to unique physical characteristics relating to real property. Area Variances refer to setbacks from property boundary lines and minimum lot size requirements when physical improvements are proposed for a property. BCZR, §307.1 does not authorize Variance relief for an additional number of personal property items such as RVs.

In addition, even if the Petitioners could ask for a Variance here for additional RVs, there was no evidence produced by the Petitioners related to the burden of proof required under *Cromwell, supra*. The practical difficulty alleged by the Petitioners (i.e., desire to store two RVs on the residential property) is not the type of practical difficulty required by the case law. The storage of more than one (1) RV is merely for the convenience of the Whites and the Days which is contrary to the case law. In *Chesley v. Annapolis*, 933 A.2d 475, 176 Md. App. 413 (Md. App. 2007), the Court of Special Appeals relied on the Court of Appeals holding in *Belvoir Farms Homeowners Ass'n. Inc. v. North*, 355 Md. 259, 276, 734 A.2d 227 (1999), wherein the Court recognized that the purpose of zoning restrictions is "to prevent exceptions as far as possible," so that the specific need for the variance "must be substantial and urgent and not merely for the

convenience of the applicant[.]" (citing *Carney v. City of Baltimore*, 201 Md. 130, 137, 93 A.2d 74 (1952)). The *Chelsey* Court emphasized the Court of Appeals' holding in *Belvoir Farms* in stating that: "it generally is not a hardship to be without a desired convenience or amenity on one's property, because zoning restrictions are to be enforced in the absence of a "substantial and urgent" need for a variance." *Id.* At 933 A.2d 488. (See *Belvoir Farms Homeowners Ass'n*, 355 Md. at 261, 734 A.2d 227). For all these reasons, the Variance request regarding the presence of a second RV on the Property must be denied.

*Variance for Allowing 2nd Horse Trailer and in Side Yard*

The applicable code section addressing the permitted number and location of horse trailers is found in BCZR, §415.3.C.1 reads as follows:

C. Storage or parking of trailers or mobile homes.

1. **In a residential zone, a trailer or mobile home may be stored or parked by the owner in a garage or other accessory building, or in the rear half of a lot, subject to the applicable side and rear setbacks, but in no case less than 25 ft. from the property line. In no such case is residential occupancy permitted, nor is more than one trailer or mobile home permitted to be stored or parked on a residential lot.**

Petitioners are seeking variance relief to park two horse trailers; one in the side yard and one to the side of the residence. As testified to by Mr. Doak, the presence of the goat enclosure, trees and sloping topography satisfy the "uniqueness" requirement of the *Cromwell* Analysis, and the inability to have such horse trailers in conjunction with a property in the RC 8 Zone housing goats and horses, clearly presents a practical difficulty. I find that the request for two horse trailers rather than the mandated one to be distinguishable from the request for multiple RVs in that the horse trailers are directly tied to the use of the property itself and allowing the Petitioners to have two on the property is consistent with the spirit and intent of the Zoning Regulations.

Additionally, while not completely applicable, the presence of two horse trailers on the subject property is analogous to other “inconveniences arising from agricultural operation” permitted in the RC 8 Zone referenced in BCZR §1A09.8. Accordingly, the Petitioners request to have two horse trailers, one located next to the residence, and one in the side yard of the property is **GRANTED**.

THEREFORE, IT IS ORDERED, this 28<sup>th</sup> day of **November, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit a second recreational trailer to be stored on a 7.06-acre parcel of land occupied by a single-family dwelling per BCZR § 415A.1.A is hereby, **DENIED**.

IT IS FURTHER ORDERED that the Petition for Variance to permit a horse trailer to be parked in the side yard in lieu of the required rear half of the 7.06-acre subject property per BCZR § 415.3.C.1, and to permit a second horse trailer to be stored or parked on the residential 7.06-acre subject property per BCZR § 415.3.C.1 is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Variance for the second Horse Trailer is conditional to the continued presence of goats and horses of the subject property.

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

  
\_\_\_\_\_  
ANDREW M. BELT  
Administrative Law Judge  
for Baltimore County

AMB/dlm



# PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 17511 PRETTYBOY DAM ROAD which is presently zoned RCR  
Deed References: 38889/500 10 Digit Tax Account # 1600012183  
Property Owner(s) Printed Name(s) GLENN DAY & KIMBERLY DAY et al

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

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

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

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED PAGE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:  
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Attorney for Petitioner:

JAMES H. WEST  
WEST EDWARDS & ASSOCIATES LLC

Name- Type or Print

Signature

400 WASHINGTON AVENUE  
SUITE 1010 TOWSON MD  
Mailing Address City State

21204 / 410-842-0574 /  
Zip Code Telephone # Email Address

JAY.WEST@WEALAW.COM

CASE NUMBER 2023-0183-A Filing Date 9/8/23

## Legal Owners (Petitioners):

GLENN DAY / KIMBERLY DAY  
Name #1 - Type or Print Name #2 - Type or Print

X May Day X Kimberly Day  
Signature #1 Signature #2

17511 PRETTYBOY DAM ROAD PARKTON MD  
Mailing Address City State

21120 / 410-382-5272 /  
Zip Code Telephone # Email Address

TIFFANY@BIGTRUCKFARMS.COM

## Representative to be contacted:

BRUCE E. DOAK  
BRUCE E. DOAK CONSULTING LLC

Name - Type or Print

Bruce E. Doak  
Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD  
Mailing Address City State

21053 / 410-919-4906 /  
Zip Code Telephone # Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

Do Not Schedule Dates: Reviewer TC



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To the Office of Administrative Law of Baltimore County for the property located at:

Address 17511 PRETTYBOY DAM ROAD which is presently zoned RCB  
Deed References: 388B9/500 10 Digit Tax Account # 1600012183  
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CASE NUMBER 2023-0183-A Filing Date 9/8/23

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X Glenn Day X Kimberly Day  
Signature #1 Signature #2

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Bruce E. Doak  
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Mailing Address City State

21053 / 410-419-4906 /  
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Deed References: 38889 / 500 10 Digit Tax Account # 1600012183

Property Owner(s) Printed Name(s) CHRISTOPHER P. WHITE & TIFFANY L. WHITE, et al

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Signature

Mailing Address

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JAMES H. WEST

WEST EDWARDS & ASSOCIATES, LLC

Name- Type or Print

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TOWSON

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Filing Date 9/8/23

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CHRISTOPHER P. WHITE / TIFFANY L. WHITE

Name #1 - Type or Print

Name #2 - Type or Print

Christopher P. White

Tiffany L. White

Signature #1

Signature #2

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PARKTON

MD

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TIFFANY.BIGTRUCKFARMS.COM

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State

21053

410-419-4906

Zip Code

Telephone #

BD@BRUCEEDOAKCONSULTING.COM

Do Not Schedule Dates:

Reviewer TC

REV. 10/4/11

Legal owners: Kimberly Day  
Kimberly Day

Legal Owner  
Glenn Day  
Glenn Day



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SUITE 1010  
TOWSON

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City

State

Zip Code

Telephone #

Email Address

JAY.WEST@WEALAW.COM

CASE NUMBER 2023-0138-A Filing Date 9/8/23

Legal owners: Kimberly Day  
Kimberly Day

## Legal Owners (Petitioners):

CHRISTOPHER P. WHITE / TIFFANY L. WHITE

Name #1 - Type or Print

Name #2 - Type or Print

Christopher P. White

Tiffany L. White

Signature #1

Signature #2

17511 PRETTYBOY DAM ROAD PARKTON MO

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City

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21053 / 410-419-4906 / BDOAK@BRUCEDOAKCONSULTING.COM

Do Not Schedule Dates: \_\_\_\_\_ Reviewer TC

Legal owner  
Glenn Day  
Glenn Day

REV. 10/4/11



# PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 17511 PRETTYBOY DAM ROAD

which is presently zoned RCB

Deed References: 38889 / 500

10 Digit Tax Account # 1600012183

Property Owner(s) Printed Name(s) CHRISTOPHER P. WHITE & TIFFANY L. WHITE, et al

Glenn Day & Kimberly Day

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

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

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

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED PAGE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:  
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Attorney for Petitioner:

JAMES H. WEST

WEST EDWARDS & ASSOCIATES, LLC

Name- Type or Print

Signature

409 WASHINGTON AVENUE  
SUITE 1010  
TOWSON

Mailing Address

City

State

21209  
Zip Code

410-842-0574  
Telephone #

JAY.WEST@WEALAW.COM  
Email Address

CASE NUMBER 2023-0138-4

Filing Date 9/8/23

## Legal Owners (Petitioners):

CHRISTOPHER P. WHITE / TIFFANY L. WHITE

Name #1 - Type or Print

Name #2 - Type or Print

Christopher P. White

Tiffany L. White

Signature #1

Signature #2

17511 PRETTYBOY DAM ROAD PARKTON

MO

Mailing Address

City

State

21120  
Zip Code

410-382-5272  
Telephone #

TIFFANY.BIGTRUCKFARMS.COM  
Email Address

## Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND

Mailing Address

City

State

21053  
Zip Code

410-419-4906  
Telephone #

BD@BRUCEEDOAKCONSULTING.COM  
Email Address

Do Not Schedule Dates:

Reviewer TC

Legal owners: Kimberly Day  
Kimberly Day

Legal Owner: Glenn Day  
Glenn Day

REV. 10/4/11

## Zoning Hearing Petitions Being Requested

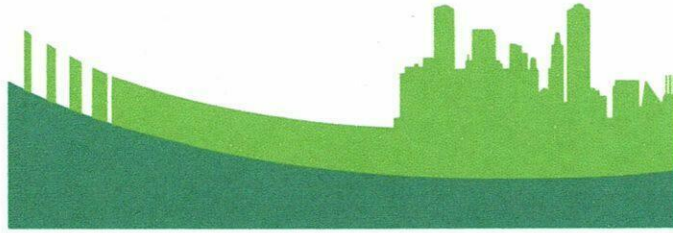
Variance to permit a horse trailer to be parked in the side yard in lieu of the required rear half of the 7.06 acre subject property per Section 415.3.C.1 BCZR

Variance to permit a second horse trailer to be stored or parked on the residential 7.06 acre subject property per Section 415.3.C.1 BCZR

Variance to permit a second horse trailer to be parked in the side yard in lieu of the required rear half of the 7.06 acre subject property per Section 415.3.C.1 BCZR

Variance to permit a second recreational trailer to be stored on a 7.06 acre parcel of land occupied by a single-family dwelling per Section 415A.1.A BCZR

Variance to permit any such further relief as may be deemed necessary by the Administrative Law judge



### **Zoning Description**

17511 Prettyboy Dam Road- 7.06 Acre Parcel  
Seventh Election District Third Councilmanic District  
Baltimore County, Maryland

Beginning at a point on the south side of Prettyboy Dam Road, approximately 1,350 feet westerly of the centerline of Bushland Road. Said point being the northeastern most corner of Lot No. 25 as shown on the plat entitled "Plat No 3 Hales Hackle" which is recorded in the land records of Baltimore County in Plat Book EHK Jr 36, page 88.

Containing 7.06 acres of land, more or less.

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



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

2023-0138-A

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

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

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

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

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

---

---

**For Newspaper Advertising:**

Case Number: 2023-0138-A

Property Address: 17511 PRETTYBOY DAM ROAD

Property Description: 7.06 AC LOT 25 "HALES HACKLE" PB 36/88

Legal Owners (Petitioners): CHRISTOPHER P. WHITE & TIFFANY L. WHITE

Contract Purchaser/Lessee: GLEN A. DAY & KIMBERLY D. DAY

PLEASE FORWARD ADVERTISING BILL TO:

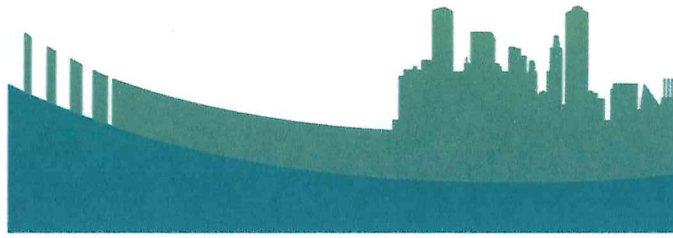
Name: BRUCE E. DOAK

Company/Firm (if applicable): BRUCE E. DOAK CONSULTING LLC

Address: 3801 BAKER SCHOOLHOUSE ROAD  
FREELAND MO 21053

Telephone Number: 410-419-4906

Revised 5/20/2014



## CERTIFICATE OF POSTING

October 31, 2023

\_\_\_\_\_ amended for second inspection

Re:

Zoning Case No. 2023-0183-A

Legal Owner: Glenn & Kimberly Day

Hearing date: November 20, 2023

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

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 **17511 Prettyboy Dam Road**.

The signs were initially posted on **October 30, 2023**.

The subject property was also inspected on \_\_\_\_\_.

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](mailto:bdoak@bruceedoakconsulting.com)

# **ZONING NOTICE**

**CASE NO. 2023-0183-A**

**17511 Prettyboy Dam 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:**

**MONDAY NOVEMBER 20, 2023 10:00 AM**

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS  
PLEASE GO TO [WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS](http://WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS).  
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION  
AND THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL  
410-887-3868, EXT. 0.

**REQUEST:**

VARIANCE TO PERMIT A HORSE TRAILER TO BE PARKED IN THE  
SIDE YARD IN LIEU OF THE REQUIRED REAR HALF OF THE 7.06  
ACRE SUBJECT PROPERTY PER SEC 415.3.C.1 BCZR. TO PERMIT  
A SECOND HORSE TRAILER TO BE STORED OR PARKED ON THE  
RESIDENTIAL 7.06 ACRE SUBJECT PROPERTY PER SEC 415.3.C.1  
BCZR. TO PERMIT A SECOND RECREATIONAL TRAILER TO BE  
STORED ON A 7.06 ACRE PARCEL OF LAND OCCUPIED BY A  
SINGLE-FAMILY DWELLING PER SECT 415A.1.A BCZR. TO PERMIT  
ANY SUCH FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY  
THE ADMINISTRATIVE LAW JUDGE.

# **ZONING NOTICE**

**CASE NO. 2023-0183-A**  
**17511 Prettyboy Dam Road**

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ANY SUCH FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY  
THE ADMINISTRATIVE LAW JUDGE.**

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** C. Pete Gutwald  
Director, Department of Permits, Approvals and Inspections

**DATE:** 9/20/2023

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2023-0183-SPHA

**INFORMATION:**

**Property Address:** 17511 Prettyboy Dam Road  
**Petitioner:** Glenn Day & Kimberly Day  
**Zoning:** RC 8  
**Requested Action:** Variance

The Department of Planning has reviewed the petition for the following:

*Variance(s)-*

1. To permit a horse trailer to be parked in the side yard in lieu of the required rear half of the 7.06-acre subject property per Section 415.3.C.1 BCZR
2. To permit a second horse trailer to be stored or parked on the residential 7.06-acre subject property per Section 415.3.C.1 BCZR
3. To permit a second horse trailer to be parked in the side yard in lieu of the required rear half of the 7.06-acre subject property per Section 415.3.C.1 BCZR
4. To permit a second recreational trailer to be stored on a 7.06-acre parcel of land occupied by a single-family dwelling per Section 415A.1.A BCZR
5. To permit any such further relief as may be deemed necessary by the Administrative Law judge

The property in question is situated on Loblolly Road in the Parkton region of Baltimore County. It's important to clarify that, despite the address, the property is not directly on Prettyboy Dam Road. Spanning approximately 7.06 acres, the parcel features a residential dwelling, a horse shed, and stables. Surrounding the property are residential homes, farms, and areas designated for forest conservation.

During a phone conversation, the representative Bruce E. Doak from Bruce E. Doak Consulting LLC clarified the nature of the requested relief. The request stems from neighborhood complaints regarding the applicant parking horse trailers in front of their house, specifically in the driveway. As a solution, the applicant proposes moving the horse trailers to both sides of the main building, two to the left and one to the right, instead of the required rear half of the property as specified by Section 415.3.C.1 of the BCZR. The reason for this proposal is that the rear of the property is currently dedicated to a foraging-style goat farm, which is enclosed with wire fencing. This farming style necessitates ample space for the goats to forage.



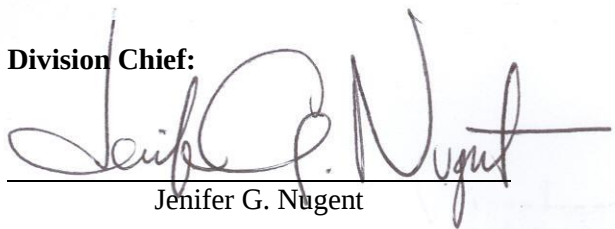
The request for a variance to allow the trailers to be parked in the side yard, instead of the mandated rear half of the property as outlined in Section 415.3.C.1 of the BCZR, neither affects the intent of the RC 8 zone nor the environment. As a result, the Department of Planning has no objections to this request.

For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

**Prepared by:**

  
 \_\_\_\_\_  
 Krystle Patchak

**Division Chief:**

  
 \_\_\_\_\_  
 Jenifer G. Nugent

SL/JGN/KP

c: Bruce E. Doak  
 Joe Wiley/Abigail Rogers, Community Planner  
 Ngone Seye Diop, Community Planning Division Chief  
 Jeff Perlow, Zoning Review  
 Kristen Lewis, Zoning Review  
 Office of Administrative Hearings  
 People's Counsel for Baltimore County

**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 18, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0183-A  
Address: 17511 PRETTYBOY DAM RD  
Legal Owner: Glenn and Kimberly Day

Zoning Advisory Committee Meeting of September 18, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

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

**Special Tax Recapture:** None

**Account Identifier:** District - 07 Account Number - 1600012183

### Owner Information

**Owner Name:** WHITE CHRISTOPHER P      **Use:** RESIDENTIAL  
WHITE TIFFANY L ET AL      **Principal Residence:** YES  
**Mailing Address:** 17511 PRETTYBOY DAM RD      **Deed Reference:** /38889/ 00500  
PARKTON MD 21120-

### Location & Structure Information

**Premises Address:** 17511 PRETTYBOY DAM RD      **Legal Description:** 7.06 AC  
PARKTON 21120-      548 SE MT CARMEL RD  
HALES HACKLE

**Map:** Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 3  
0021 0008 0154    7040022.04    0000    25    2023    Plat Ref: 0036/ 0088

**Town:** None

| Primary Structure Built | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use |
|-------------------------|-------------------------|------------------------|--------------------|------------|
| 1978                    | 3,506 SF                | 500 SF                 | 7.0600 AC          | 04         |

| Stories | Basement Type | Exterior Quality     | Full/Half Bath | Garage         | Last Notice of Major Improvements |
|---------|---------------|----------------------|----------------|----------------|-----------------------------------|
| 2       | YES           | STANDARD UNIT BRICK/ | 5              | 4 full/ 2 half | 1 Attached                        |

### Value Information

|                           | Base Value | Value<br>As of<br>01/01/2023 | Phase-in Assessments<br>As of<br>07/01/2023 | As of<br>07/01/2024 |
|---------------------------|------------|------------------------------|---------------------------------------------|---------------------|
| <b>Land:</b>              | 180,300    | 148,700                      |                                             |                     |
| <b>Improvements</b>       | 415,100    | 583,200                      |                                             |                     |
| <b>Total:</b>             | 595,400    | 731,900                      | 640,900                                     | 686,400             |
| <b>Preferential Land:</b> | 0          | 0                            |                                             |                     |

### Transfer Information

|                                      |                             |                         |
|--------------------------------------|-----------------------------|-------------------------|
| <b>Seller:</b> ALLENBAUGH SANDRA LEE | <b>Date:</b> 04/26/2017     | <b>Price:</b> \$455,000 |
| <b>Type:</b> ARMS LENGTH IMPROVED    | <b>Deed1:</b> /38889/ 00500 | <b>Deed2:</b>           |
| <b>Seller:</b> VAARTJES SANDRA L     | <b>Date:</b> 07/20/1981     | <b>Price:</b> \$0       |
| <b>Type:</b> NON-ARMS LENGTH OTHER   | <b>Deed1:</b> /06178/ 00428 | <b>Deed2:</b>           |
| <b>Seller:</b>                       | <b>Date:</b>                | <b>Price:</b>           |
| <b>Type:</b>                         | <b>Deed1:</b>               | <b>Deed2:</b>           |

### Exemption Information

| Partial Exempt Assessments: | Class | 07/01/2023 | 07/01/2024 |
|-----------------------------|-------|------------|------------|
| <b>County:</b>              | 000   | 0.00       |            |
| <b>State:</b>               | 000   | 0.00       |            |
| <b>Municipal:</b>           | 000   | 0.00 0.00  | 0.00 0.00  |

**Special Tax Recapture:** None

### Homestead Application Information

**Homestead Application Status:** Approved 11/22/2017

### Homeowners' Tax Credit Application Information

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

2023- 0138-A

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

No. 226637

Date: \_\_\_\_\_

| Fund | Dept | Unit | Sub Unit | Rev            | Sub             | Dept | Obj | BS | Acct | Amount |
|------|------|------|----------|----------------|-----------------|------|-----|----|------|--------|
|      |      |      |          | Source/<br>Obj | Rev/<br>Sub Obj |      |     |    |      |        |
| 001  | 806  | 0006 |          | 6150           |                 |      |     |    |      | 75.00  |
|      |      |      |          |                |                 |      |     |    |      |        |
|      |      |      |          |                |                 |      |     |    |      |        |
|      |      |      |          |                |                 |      |     |    |      |        |
|      |      |      |          |                |                 |      |     |    |      |        |

Total: 75.00

Rec

From: BRUCE E. DOAK

For: 17511 Prettyboy Oak Road

23-0704

DISTRIBUTION

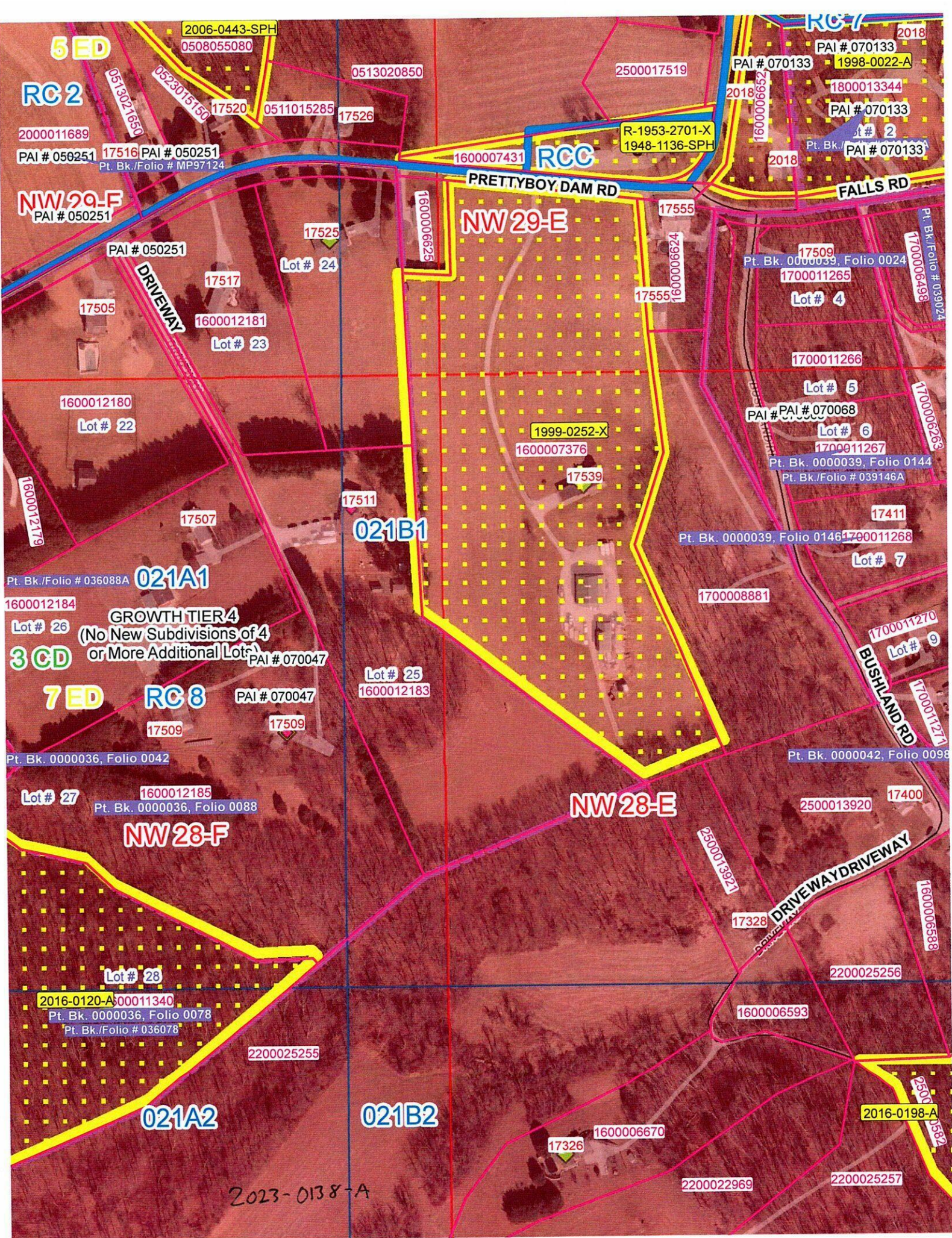
WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING  
PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION

TC

|                                                                                                                     |  |                         |
|---------------------------------------------------------------------------------------------------------------------|--|-------------------------|
| <b>BRUCE E DOAK</b> 12-12<br><b>BRUCE E DOAK CONSULTING</b><br>3801 BAKER SCHOOLHOUSE RD<br>FREELAND, MD 21053-9738 |  | 3022<br>15-3/540<br>429 |
| Pay to the<br>Order of <u>BALTIMORE COUNTY MD</u>                                                                   |  | <u>7/27/23</u> Date     |
| <u>SEVENTY FIVE AND 00/100</u>                                                                                      |  | \$ 75.00                |
| PNC BANK<br>PNC Bank, N.A. 040                                                                                      |  | Dollars                 |
| For <u>WHITE ZONING PET. FEE</u>                                                                                    |  | <u>BE D</u>             |
| ⑆054000030⑆ 5336741067⑈                                                                                             |  | 3022                    |

2023-0138-A



## GENERAL INFORMATION

1. Ownership: Christopher P. White, Tiffany L. White, Glenn A. Day & Kimberly D. Day  
17511 Prettyboy Dam Road Parkton, MD 21120 410-382-5272
2. Address: 17511 Prettyboy Dam Road Parkton, MD 21120
3. Deed references: JFE 38889/500 Lot 25 "Hales Hackle" PB 36/88
4. Area: 7.06 acres (per SDAT)
5. Tax Map / Parcel / Tax account #: 21 / 154 / 16-00-012183
6. Election District: 7 Councilmanic District: 3  
ADC Map: GIS tile: 021B1 Position sheet: 112NW21  
Census tract: 407001 Census block: 24005407001  
Schools: 5th District ES Hereford MS Hereford HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 071C1 and the information provided by Baltimore County on the internet.
8. Improvements: 2 story dwelling and sheds. All will remain.

## OFFICE OF ZONING

Zoning: RC 8 There are no previous zoning cases on the subject parcels.

Setbacks for Business Trailers

Rear half of lot & >25 feet from the property line-Sect. 415.3.C.1 BCZR

Setbacks for Recreational Trailers

Side / Rear: 2.5 feet from a property line Front: 8 feet to the rear of a lateral projection of the front foundation -Sect. 415.1.A BCZR

## ENVIRONMENTAL

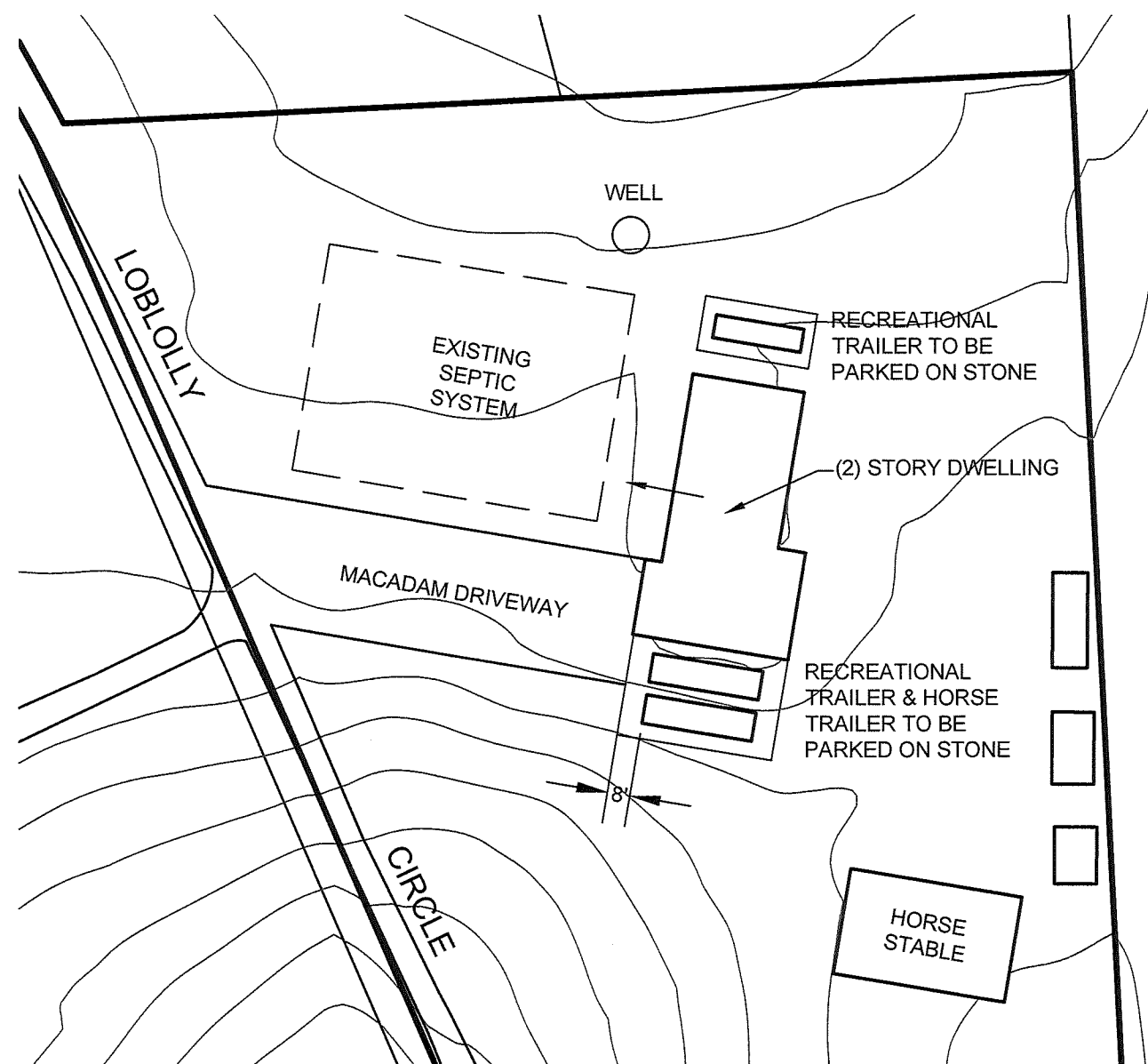
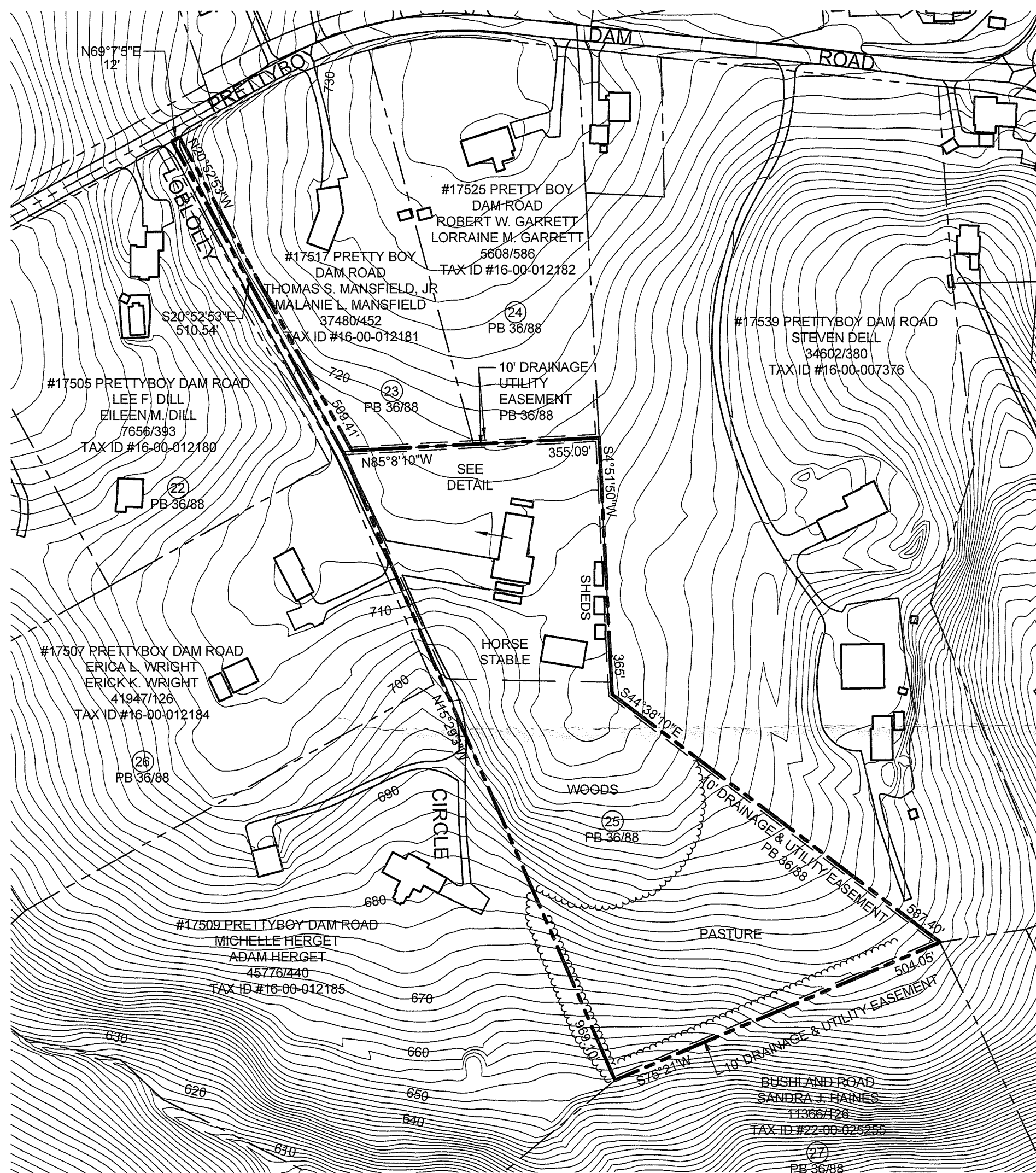
Watershed: Loch Raven Reservoir & Prettyboy Reservoir URDL land type: 1

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

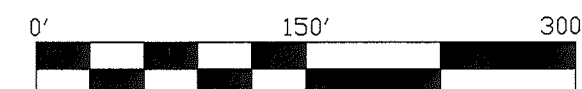
## OFFICE OF PLANNING

Regional Planning District: Hereford/Maryland Line District Code: 301

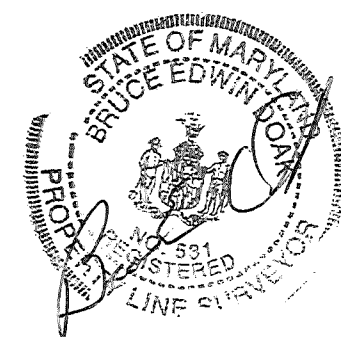
1. The subject property is not in a historic district.
2. Growth Tier: 4 Preservation and conservation areas



DETAIL 1" = 60'



REVISION



Vicinity Map - Scale: 1" = 600'

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

PLAN TO ACCOMPANY  
A ZONING PETITION

FOR THE

#17511 PRETTYBOY DAM ROAD

BALTIMORE COUNTY, MARYLAND  
7th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 7/24/23

Scale: 1"=150'

2023-0183-A