

<b>IN RE: PETITION FOR ADMIN. VARIANCE</b>	*	BEFORE THE
<b>(615 Miller Road)</b>		
7 <sup>th</sup> Election District	*	OFFICE OF
3 <sup>rd</sup> Councilmanic District		
Janet L. Adams	*	ADMINISTRATIVE HEARINGS
Petitioner		
	*	FOR BALTIMORE COUNTY
	*	<b>Case No. 2016-0251-A</b>

\* \* \* \* \*

### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Janet L. Adams. The variance request is from § 100.6 of the Baltimore County Zoning Regulations (“B.C.Z.R.”), to permit the stabling and pasturing of livestock on a property consisting of 2.9 acres in lieu of the minimum required 3 acres. The subject property and requested relief are more particularly described on Petitioner’s 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 from the Department of Planning (DOP) indicating they had no objection to granting the relief conditioned upon the following: “The livestock shall be goats only with not more than 4 adult animals on site at one time.”

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 1, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code. 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 that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 18<sup>th</sup> day of May, 2016, that a Variance from § 100.6 of the Baltimore County Zoning Regulations (“B.C.Z.R.”), to permit the stabling and pasturing of livestock on a property consisting of 2.9 acres in lieu of the minimum required 3 acres, be and is hereby GRANTED, subject to the following:

The relief granted herein shall be subject to the following:

1. Petitioner may apply for her appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner must comply with the ZAC comment from DOP, dated May 11, 2016; 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.

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Signed  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw