

**IN RE: PETITION FOR VARIANCE**

E/side of Cornwall Road, 254' S of  
Dunmanway  
12<sup>th</sup> Election District  
7<sup>th</sup> Council District  
(2919 Cornwall Road)

Theresa A. Spiegel  
Petitioner

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* CASE NO. 2012-0297-A

\* \* \* \* \*

**ORDER AND OPINION**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner, Theresa A. Spiegel. The Petitioner is requesting Variance relief from §§ 100.6 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1' in lieu of the required minimum 1 acre lot size and 2.5' setback, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support for this case was Petitioner Theresa A. Spiegel, Andre Smith and Quajea Carswell. There were no Protestants or other interested parties in attendance. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no adverse ZAC comments from any of the County reviewing agencies.

This matter is currently the subject of a violation case (Case No. CO-107857) before the Office of Administrative Hearings, and a copy of the Code Enforcement file was made a part of the zoning hearing file. It should be noted that the fact that a code violation is issued is generally not considered in a zoning case. Zoning enforcement is conducted by the Department of Permits,

**ORDER RECEIVED FOR FILING**

Date 8-3-12

By aw

Approvals, and Inspections, which has the authority to issue Correction Notices and Citations and to impose fines and other penalties for violation of law. On the other hand, the role of the Administrative Law Judge in this matter is to decide the discreet legal issue of whether the Petitioner is entitled to the requested zoning relief.

Testimony and evidence revealed that the subject property is 2,280 square feet and is zoned DR 10.5. The Petitioner purchased the home about a year ago, and erected a pigeon coop in or about January, 2012. Ms. Spiegel explained that she is an educator, and uses the pigeons to provide learning experiences for "at risk" students in the area. She advised that she partners with the County school system, and will have small groups of elementary and middle school children to her home to teach them about pigeons' habitat, breeding and historical uses. The Petitioner also explained that using pigeons in this fashion has had a demonstrative and positive effect upon children, and she presented a magazine article that featured an outreach program similar to hers.

The Petitioner presented an exhibit with approximately 75 signatures of area residents, expressing support for her operation (Exhibit 2). The Petitioner also presented several letters of support from neighbors and the Dundalk Community Association (Exhibit 3). Finally, several color photos of Petitioner's home and rear yard were admitted (Exhibit 4) and they show that Petitioner's home is well maintained and the pigeon coop is kept clean and sanitary.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

*Trinity Assembly of God v. People's Counsel*, 407 Md. 53, 80 (2008).

Petitioner has met this test.

ORDER RECEIVED FOR FILING

Date 8-3-12

By 192

The Petitioner would experience a practical difficulty if the regulations were strictly enforced, since she would be unable to continue with her pigeon instructional program, which is providing a much-needed activity for youngsters in the area. Finally, I do not believe the zoning relief will be detrimental to the community's health, safety and welfare.

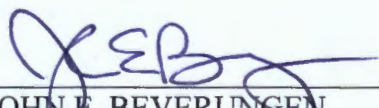
Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 3<sup>rd</sup> day of August, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from §§ 100.6 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1' in lieu of the required minimum 1 acre lot size and 2.5' setback, respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. The Petitioner may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

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

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:dlw  
**ORDER RECEIVED FOR FILING**

Date 8-3-12

By lw



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
TIMOTHY M. KOTROCO  
*Administrative Law Judges*

August 3, 2012

Theresa A. Spiegel  
2919 Cornwall Road  
Dundalk, Maryland 21222

RE: Petition for Variance  
Case No.: 2012-0297-A  
Property: 2919 Cornwall Road

Dear Ms. Spiegel:

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

In the event any party finds the decision rendered is unfavorable, any party 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 "JEB", is written over the typed name.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

c: M. Stuart Kelly, Code Enforcement Inspector, Department of Permits,  
Approvals & Inspections



**CBCA**

# PETITION FOR ZONING HEARING(S)

PMZ  
GD

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 2919 Cornwall Road which is presently zoned DR-10.5  
 Deed References: 31764 / 00326 10 Digit Tax Account # 1 2 1 7 0 1 0 2 9 1  
 Property Owner(s) Printed Name(s) Theresa Anne Spiegel

(SELECT THE HEARING(S) BY MARKING X 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. X a Variance from Section(s)

*see attached*

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 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:**  
Theresa Anne Spiegel  
 Name- Type or Print  
Theresa A. Spiegel  
 Signature  
2919 Cornwall Rd Dundalk MD  
 Mailing Address City State  
21222 443 653 2158 Almostheaven215  
 Zip Code Telephone # Email Address  
@comcast.net

**Legal Owners (Petitioners):**  
Theresa A. Spiegel  
 Name #1 - Type or Print Name #2 - Type or Print  
Theresa A. Spiegel  
 Signature #1 Signature #2  
2919 Cornwall Rd Dundalk MD  
 Mailing Address City State  
21222 443 653 2158 Almostheaven215@comcast.net  
 Zip Code Telephone # Email Address

**Attorney for Petitioner:**  
 Name- Type or Print  
 Signature  
 Mailing Address City State  
 Zip Code Telephone # Email Address

**Representative to be contacted:**  
SAME  
 Name - Type or Print  
 Signature  
 Mailing Address City State  
 Zip Code Telephone # Email Address

100.6 and 400.1 to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1 ft. in lieu of the required minimum 1 acre and 2.5 ft. setback, respectively.



**CBCT**

# 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 2919 Cornwall Road which is presently zoned DR-10.5

Deed References: 31764/00326 10 Digit Tax Account # 1217010291

Property Owner(s) Printed Name(s) Theresa Anne Spiegel

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

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Contract Purchaser/Lessee:

Theresa Anne Spiegel

Name- Type or Print

Theresa A. Spiegel

Signature

2919 Cornwall Rd Dundalk MD

Mailing Address

City

State

21222, 4436532158, Almostheaven215

Zip Code

Telephone #

@comcast.net

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

By

Legal Owners (Petitioners):

Theresa A. Spiegel

Name #1 - Type or Print

Name #2 - Type or Print

Theresa A. Spiegel

Signature #1

Signature #2

2919 Cornwall Rd Dundalk MD

Mailing Address

City

State

21222, 4436532158, Almostheaven215@comcast.net

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2012-0297-A

Filing Date 5/15/12

Do Not Schedule Dates:

Reviewer AM

REV. 10/4/11

**ORDER RECEIVED FOR FILING**  
8-3-12  
192

100.6 and 400.1 to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1 ft. in lieu of the required minimum 1 acre and 2.5 ft. setback, respectively.

ZONING DESCRIPTION FOR 2919 CORNWALL RD.

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 of the easternmost side of Cornwall Road a the distance of 207.26 feet southerly measured along the eastern side of Cornwall Road from the southernmost side of Dunmanway which place of beginning is at a pointing line with the center line of a partition wall there erected running thence southerly binding along the easternmost side of Cornwall Road 19 feet to a point in line with the center line of another partition wall there erected thence running easterly to, through and along the center line of the said last mentioned partition wall to the end thereof and continuing the same course in all 120 feet to the westernmost side of an alley 14 feet wide there situate thence running northerly binding along the westernmost side of said alley with the use thereof in common with others 19 feet to meet a lone drawn easterly from the place of beginning, to, through and along the center line of the partition wall first above-mentioned in this description running thence westerly reversing said line as drawn and binding thereon 120 feet to the place of beginning.

The improvements thereon being known as No. 2919 Cornwall Road, AND LOCATED IN THE 12<sup>TH</sup> ELECTION & 7<sup>TH</sup> COUNCIL DISTRICTS OF BALTIMORE COUNTY.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW

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 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 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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2012-0297-A

Petitioner: Theresa Anne Spiegel

Address or Location: 2919 Cornwall Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Theresa Anne Spiegel

Address: 2919 Cornwall Road

Dundalk, MD 21222

Telephone Number: 443 653 2158

Revised 2/17/11 DT

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

No. **83473**

Date: **5/15/12**

**PAID RECEIPT**

ADDRESS: BALTIMORE, MD 21201  
 5/21/2012 5/18/2012 11:32:35 2

REC W502 WALKER JON JEE  
 RECEIPT # 779822 5/18/2012 071A

RECEIPT # 779822 5/18/2012 071A  
 CF NO. 003473

Receipt Int 175.00  
 175.00 CF 1.00 CA  
 Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ | Sub Rev/ | Obj | Sub Obj | Dept Obj | BS Acct | Amount            |
|------|------|------|----------|-------------|----------|-----|---------|----------|---------|-------------------|
| 001  | 506  | 0000 |          | 6150        |          |     |         |          |         | <del>160.00</del> |
|      |      |      |          |             |          |     |         |          |         |                   |
|      |      |      |          |             |          |     |         |          |         |                   |
|      |      |      |          |             |          |     |         |          |         |                   |
|      |      |      |          |             |          |     |         |          |         |                   |
|      |      |      |          |             |          |     |         |          |         |                   |
|      |      |      |          |             |          |     |         |          |         |                   |

Total: ~~160.00~~ 175.00

Rec From: T. Spiegel  
 For: Zoning Variance  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

**CASHIER'S  
 VALIDATION**

*Handwritten:* 0297

CERTIFICATE OF POSTING

RE: Case No 2012-0297-A

Petitioner/Developer \_\_\_\_\_  
THELISA SPIEGEL

Date Of Hearing/Closing: 8/3/12

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property  
at 2919 CORNWALL ROAD

This sign(s) were posted on July 13, 2012  
Month Day, Year  
Sincerely,

Martin Ogle 7/13/12  
Signature of Sign Poster and Date

Martin Ogle  
60 Chelmsford Court  
Baltimore, Md, 21220  
443-629-3411

# ZONING NOTICE

CASE # 2012-0297-A

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD**

*ROOM 205 JEFFERSON BUILDING 105*

*PLACE: WEST CHESAPEAKE AVENUE, TOWSON 21204*

*DATE AND TIME: FRIDAY, AUGUST 3, 2012  
AT 10:00 A.M.*

*REQUEST: VARIANCE TO PERMIT THE ACCESSORY  
STABLING OF PIGEONS ON A LOT CONTAINING 0.052  
ACRES AND TO PERMIT AN ACCESSORY STRUCTURE  
(PIGEON COOP) WITH A SIDE YARD SETBACK OF 1 FT.  
IN LIEU OF THE REQUIRED MINIMUM 1 ACRE AND 2.5 FT  
SETBACK RESPECTIVELY*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS MAY SOMETIMES BE NECESSARY  
TO CONFIRM HEARING CALL 410-867-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

*Malcolm 7/13/12*

**NOTICE OF ZONING  
HEARING**

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**Case: # 2012-0297-A**  
2919 Cornwall Road  
E/s Cornwall Road, 254 ft.  
S/of Dunmanway  
12th Election District  
7th Councilmanic District  
Legal Owner(s):  
Theresa Spiegel

**Variance:** to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1 ft. in lieu of the required minimum 1 acre and 2.5 ft. setback, respectively.

**Hearing:** August 3, 2012  
at 10:00 a.m. in Room  
205, Jefferson Building,  
105 West Chesapeake  
Avenue, Towson 21204.

ARNOLD IABLON, DIRECTOR  
OF PERMITS, APPROVALS  
AND INSPECTIONS FOR  
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

7/104 July 12 304980

## CERTIFICATE OF PUBLICATION

7/12/ 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/12/ 2012.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*S. Wilkins*

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, July 3, 2012 Issue - Jeffersonian

Please forward billing to:  
Theresa Spiegel  
2919 Cornwall Road  
Dundalk, MD 21222

443-653-2158

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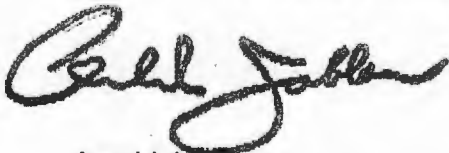
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**CASE NUMBER: 2012-0297-A**  
2919 Cornwall Road  
E/s Cornwall Road, 254 ft. S/of Dunmanway  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owners: Theresa Spiegel

Variance to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1 ft. in lieu of the required minimum 1 acre and 2.5 ft. setback, respectively.

Hearing: Tuesday, July 24, 2012 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

June 20, 2012

## NOTICE OF ZONING HEARING

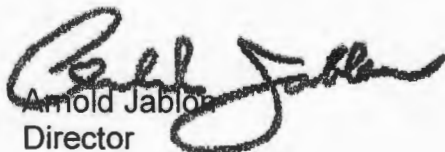
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Arnold Jablon  
Director

AJ:kl

C: Theresa Spiegel, 2919 Cornwall Road, Dundalk 21222

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 4, 2012.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, July 12, 2012 Issue - Jeffersonian

Please forward billing to:  
Theresa Spiegel  
2919 Cornwall Road  
Dundalk, MD 21222

443-653-2158

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Hearing: Wednesday, August 1, 2012 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
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KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

June 27, 2012

## NOTICE OF ZONING HEARING

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon  
Director

AJ:kl

C: Theresa Spiegel, 2919 Cornwall Road, Dundalk 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 4, 2012.**
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TO: PATUXENT PUBLISHING COMPANY  
Thursday, July 12, 2012 Issue - Jeffersonian

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Dundalk, MD 21222

443-653-2158

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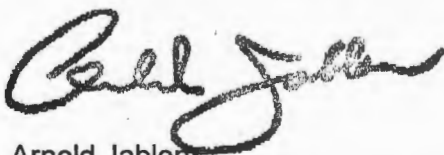
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Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

July 2, 2012, 2012

## NEW NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2012-0297-A**

2919 Cornwall Road  
E/s Cornwall Road, 254 ft. S/of Dunmanway  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owners: Theresa Spiegel

Variance to permit the accessory stabling of pigeons on a lot containing 0.052 acres and to permit an accessory structure (pigeon coop) with a side yard setback of 1 ft. in lieu of the required minimum 1 acre and 2.5 ft. setback, respectively.

Hearing: Friday, August 3, 2012 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

AJ:kl

C: Theresa Spiegel, 2919 Cornwall Road, Dundalk 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 14, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
*County Executive*

ARNOLD JABLON  
*Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections*

July 24, 2012

Theresa A. Spiegel  
2919 Cornwall Road  
Dundalk MD 21222

RE: Case Number: 2012-0297 A, Address: 2919 Cornwall Road

Dear Ms. Spiegel:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 15, 2012. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary  
Melinda B. Peters, Administrator

Date: 6-1-12

Ms. Kristen Lewis  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No 2012-0297-A  
Variance  
Theresa Spiegel  
2914 Cornwall Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2012-0297-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief  
Access Management Division

SDF/raz

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.roads.maryland.gov](http://www.roads.maryland.gov)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**DATE:** May 31, 2012

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For June 11, 2012  
Item Nos. 2008-0531, 2012- 0295, 0296, 0297  
and 0299.

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06112012-NO COMMENTS.doc

RE: PETITION FOR VARIANCE  
2919 Cornwall Road; E/S Cornwall Road,  
254' South of Dunmanway  
12<sup>th</sup> Election & 7<sup>th</sup> Councilmanic Districts  
Legal Owner(s): Theresa Spiegel  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINSTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2012-297-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED

MAY 30 2012

*KQ*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30th day of May, 2012, a copy of the foregoing Entry of Appearance was mailed to Theresa Spiegel, 2919 Cornwall Road, Baltimore, MD 21222, Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME Spiegel  
CASE NUMBER 2012-0297-A  
DATE 8-3-12

## PETITIONER'S SIGN-IN SHEET

[illegible]

JB 8/3

10 AM

Case No.: 2012-0297-A

Exhibit Sheet

DW 9/5/12 ✓  
DW 8/3/12

Petitioner/Developer

Protestants

|        |                       |  |
|--------|-----------------------|--|
| No. 1  | Site Plan             |  |
| No. 2  | Neighborhood Petition |  |
| No. 3  | Letters of Support    |  |
| No. 4  | Color Photos          |  |
| No. 5  |                       |  |
| No. 6  |                       |  |
| No. 7  |                       |  |
| No. 8  |                       |  |
| No. 9  |                       |  |
| No. 10 |                       |  |
| No. 11 |                       |  |
| No. 12 |                       |  |

Exhibit 2

April 25, 2012

To Whom It May Concern:

We, being members of the Dundalk Community, ask that you please consider allowing the pigeon coop located at 2919 Cornwall Road, Dundalk, Maryland 21222 to remain in place. The home owner is working with the community to help alleviate the rat population, clean up the community, and offering an alternative to the children by educating them and allowing them to work, hands on, with the pigeons. We do not have a problem with the pigeon coop remaining on the property, since they maintain it at their own expense and do not ask for assistance from the community. Thank you in advance for your kind consideration.

| NAME             | ADDRESS              | SIGNATURE   |
|------------------|----------------------|-------------|
| Helen Mauricio   | 2221 Seates Rd.      | [Signature] |
| Anthony Mullins  | 8166 N. Boundary rd. | [Signature] |
| Tyler Hall       | 1900 Merritt Blvd    | [Signature] |
| Gordon Adams     | 7309 Berkshire Rd    | [Signature] |
| Ryan Perseghin   | 2704 Kirkleigh rd    | [Signature] |
| Roseann Saunders | 7501 Holabird Ave    | [Signature] |
| James Bogosil    | 8127 Cornwall        | [Signature] |
| Debbie Horne     | 1815 Merritt Blvd.   | [Signature] |
| Cathy Dwall      | 2735 Moorgate        | [Signature] |
| Mark Huns        | 1313 Liberty Parkway | [Signature] |
| Linda Northrup   | 3104 Bayview Rd      | [Signature] |
| Russ W. Cline    | 1912 MERRITT BLVD    | [Signature] |
| David Reed       | 3131 Bayview Rd      | [Signature] |
| Vance Kork       | 7859 Rocklaine rd.   | [Signature] |
| Terry Chambers   | 31 Partship rd       | [Signature] |
| Michael Boschi   | 7 Vista Mobile Dr    | [Signature] |

James Schiav 12 Arrowship rd. 21222

Oscar Stummph. 1924 MERRITT Blvd. 21222

Wesley 3405 Liberty Ave 21222

Greenfield 529 New Pittsburgh Ave 21222

Donette Lee 725 avonside Jonathan K

Nike Burke 127 Ch Cour 21222

Nutter Street

2003 Bodmanway Apt C 21222

Eddie Martin

1904 Ewald ave 21222

Ann M Watts

8207 Bullneck 21222

Spencer Taylor

8203 Bullneck 21222

Jennifer Aast

1933 Stanhy Rd 21222

April 18, 2012

To Whom It May Concern:

We, being members of the Dundalk Community, ask that you please consider allowing the pigeon coop located at 2919 Cornwall Road, Dundalk, Maryland 21222 to remain in place. The home owner is working with the community to help alleviate the rat population, clean up the community, and offering an alternative to the children by educating them and allowing them to work, hands on, with the pigeons. We do not have a problem with the pigeon coop remaining on the property, since they maintain it at their own expense and do not ask for assistance from the community. Thank you for your kind consideration.

Det. Bates — 2951 Cornwall  
Kendra Black 2956 "  
Shelley Warren 2954 "  
Jesica Antmace 2903 Liberty Pkwy  
Michelle Russell Dundalk HS, teacher



Exhibit 3

April 26, 2012

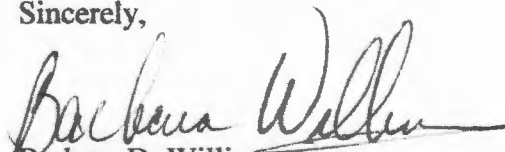
To Whom It May Concern:

Re: Neighboring Pigeon Coop

I am a homeowner, residing at 2923 Cornwall Road, Dundalk, MD 21222. I found out from the owner of the Pigeon Coop that complaints have been filed against her because the pigeons are causing a disturbance.

While I have been aware of the pigeons since the coop was built, I have not been personally disturbed by them.

Sincerely,



Barbara D. Williams

Desiree Antonacci  
2903 Liberty Pkwy  
Dundalk, Maryland 21222  
(443)286-0902

August 2, 2012

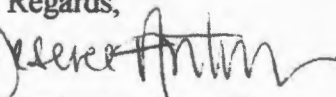
To Whom It May Concern:

As a current member of the Dundalk TLC (Tenant-Landlord) Community Association and neighbor, I have had the opportunity to work along Terry and Vega at a few community events. This letter is an offer of support to allow them to keep their pigeon coop that is located at 2919 Cornwall Road, Dundalk, Maryland, 21222. Terry and Vega use the pigeons for positive educational purposes.

The area is clean and neat and the pigeons are well cared for. The pigeons are definitely more than just birds kept in a coop, these birds are their pets. Please consider allowing them to keep this pigeon coop in their yard. The educational program they offer provides kids of all ages a positive learning experience as well as helping to keep down the rodent population which as you may be aware is rampant in Dundalk.

Thank you for your time and consideration in this matter.

Regards,



Desiree Antonacci

RE: Pigeon Coop at 2919 Cornwall Rd  
Dundalk, MD 21222

To Whom It May Concern: 8/2/12

I work with Terry Spiegel at Open Door as well as being an educator with Baltimore County Public Schools. Since meeting her she has been a huge help with our center and very nurturing to the kids.

I am a special educator with Baltimore County & I feel the pigeon coop will help teach children responsibility & keep them from getting involved in illicit & inappropriate activities.

Terry is a very neat & organized woman & the coop that she keeps is no different.

Please allow them to keep the pigeon coop.

Sincerely,  
Theresa M Maser  
Theresa Maser  
410-275-2077

# SHELLEY H. WARREN

3638 Grosvenor Drive • Ellicott City, MD 21042  
Home (410) 461-6331 • Cell (410) 530-4616

July 31, 2012

To Whom It May Concern:

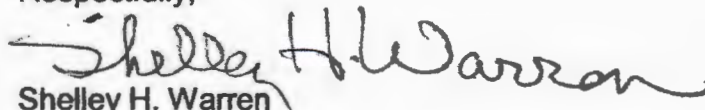
**Pigeon Coop at 2919 Cornwall Road, Dundalk, MD 21222**

As a current member of the Dundalk TLC (*Tenant-Landlord-Community*) Association, I have worked alongside Terry Spiegel at several neighborhood events. In the short time that she has been in our community Terry has (1) attended DTLC's monthly meetings, (2) been involved in a community clean-up day, and (3) performed many good deeds on her own time and expense for those less fortunate than she.

I have seen Terry's pigeons and their dwelling place; it is a neat, clean area. From all appearances, these beautiful birds are well cared for and are indeed their pets. *(The birds are also rodent deterrents!)* I understand that they're sharing their experience and skills in raising/training their pets with local groups as a positive educational experience for our youth.

I offer my support to Terry's and Vega's backyard hobby and their efforts to educate and involve school children through this local program they have developed. Please permit them to keep their pigeons. Thank you for your consideration in this matter.

Respectfully,



Shelley H. Warren

Property owner of 2954 Cornwall Rd.

2917 Cornwall Road  
Apt 2  
Dundalk, Maryland, 21222

July 27, 2012

To Whom It May Concern:

I live next to the property with the pigeon coop located at 2917 Cornwall Road, Dundalk, Maryland 21222. The pigeons are not a problem at all. My neighbors keep a clean property and I witness them daily caring for the coop. I have also witnessed several children coming and going. The children seem to enjoy their experience with the pigeons.

The owner of the property had asked if I would have a problem with a coop in the yard prior to putting it up. They were concerned with the rats in the neighborhood and have taken measures to help to cut down and eliminate the rat population. I have not noticed any problems with any odor or droppings. The rat population has lessened since the coop was built in the yard.

Please allow them to keep the pigeon coop in their yard, especially for the educational purposes, but also since they are helping to keep down the rodent problem. Thank you in advance for your consideration.

Sincerely,

*George Pyper*

FOR ADMIN. LAW JUDGE  
for 2919 CORNWALL RD.

To whom it may concern,

As the homeowners + residents of 2918 Yorkway, which is directly across the alley from 2919 Cornwall, we have no problem with the pigeons kept there. There has been no disturbance or annoyance to us related to the keeping of pigeons; i.e. noise, smell, etc.

Admittedly, we didn't notice anything beyond the structure. I am surprised to hear the intentions of the owner of the pigeons to get youth involvement which anything that gets kids interested in anything not destructive is great.

David Mack  
Kiley Macn

XFINITY Connect

Almostheaven215@comcast.net

[+ Font Size -](#)

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## letter for pigeon coop

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**From :** Derina Neyra <derina.neyra31@yahoo.com>

Wed, Aug 01, 2012 10:16 PM

**Subject :** letter for pigeon coop

**To :** Almostheaven215@comcast.net

**Reply To :** Derina Neyra <derina.neyra31@yahoo.com>

Ms Terry,

None of the laptops at my parents house have microsoft office, I can't type a letter out on official letterhead until I return to Maryland. Please show this email as proof of my support for the pigeon coop and identify that I can generate a letter on Tuesday 07 August when I return with a wet signature.

To Whom it may concern,

The pigeon coop that Ms. Theresa Spiegel maintains is an invaluable learning tool for children. My son Riley (age 8), has learned all about their habitats, incubation periods, life expectancy, history and sport. Pigeons as a pet or sport are becoming more popular in the United States. Pigeon shows and racing can have their origin tracked to England, where birds compete in shows and races. The pigeon shows and racing are similar to horse breeding and racing. Some people have horses as pets or compete in shows and this phenomenon is catching on with pigeons in both Europe and in the United States. Dogs are also used in shows for competition, give it a few years and pigeon racing and shows will be as common place as dog or horse shows. The pigeons are very clean birds and my son was trained on proper handling of them, so he has never experienced any negative issues or injuries while handling the birds. Ms. Terry provides a rare opportunity for the children to get a hands-on learning experience with the birds that can't be found in a traditional classroom setting. Any questions regarding this may be directed to me at 443-204-3667. Thanks.

V/R,

Derina L. Neyra

[derina.neyra31@yahoo.com](mailto:derina.neyra31@yahoo.com)

[derina.neyra@ang.af.mil](mailto:derina.neyra@ang.af.mil)

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2917 Cornwall Road  
Apt 1  
Dundalk, Maryland, 21222

July 31, 2012

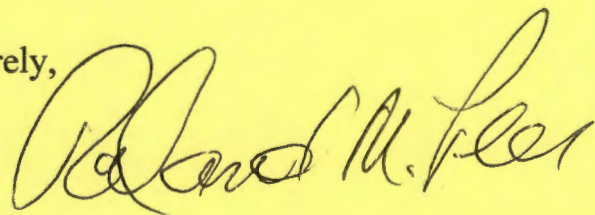
To Whom It May Concern:

I reside next door to Terry and Vega, whom maintain and keep pigeons in a loft located in their back yard at 2919 Cornwall Road, Dundalk, MD 21222. I have witnessed many aspects of this coop. Being the next door neighbor, I can attest that they keep their yard clean and well kept. The pigeons are no bother. I have never seen any droppings, which amazes me.

During a conversation with the two of them, I learned that they were using the pigeons to help educate children in the community. With many of the after school activities shutting down and no where for the children to go, this activity helps the children focus on a positive hobby and learning experience.

Please allow them to keep the pigeon coop in their yard. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Lee". The signature is fluid and cursive, with the first name "Robert" being more prominent and the last name "Lee" following in a similar style. The signature is written over a light blue horizontal line.

# Leah E. Bunck

4 S Highland Ave, Baltimore, Maryland 21224 • (937) 308.7798 • leah.bunck@gmail.com

August 2, 2012

To Whom It May Concern:

**Pigeon Coop at 2919 Cornwall Road, Dundalk, MD 21222**

I currently work to help support the efforts of the Dundalk Tenant Landlord Community Association (DTLCA). As someone who works in community organizing in the greater Dundalk area I wish to offer my support of the pigeon coop located at 2919 Cornwall Road, Dundalk, Maryland, 21222. I have come to know Terry and Vega through my work with the DTLCA, as they are committed members of the organization. My personal opinion is that they are using the pigeons for a positive educational purpose and causing no harm to the community.

Additionally, I support their plans to provide activities to the youth in our community at no cost to the participants. The Dundalk community lacks a safe place for youth to congregate. Their project can help fill this void and is a positive way to keep the children from participating in less favorable activities, such as drugs, gangs, and the like.

Please consider allowing them to keep the pigeon coop in their yard. They maintain this coop at their own expense. They promise to continue the proper maintenance and to follow procedures to control the rodent population. Thank you for your consideration. As a private citizen who works in the Dundalk community and closely with the DTLCA, I support their efforts.

Respectfully,

A handwritten signature in dark ink, appearing to be 'Leah Bunck', written in a cursive style.

Leah Bunck, MSW



Exhibit  
4



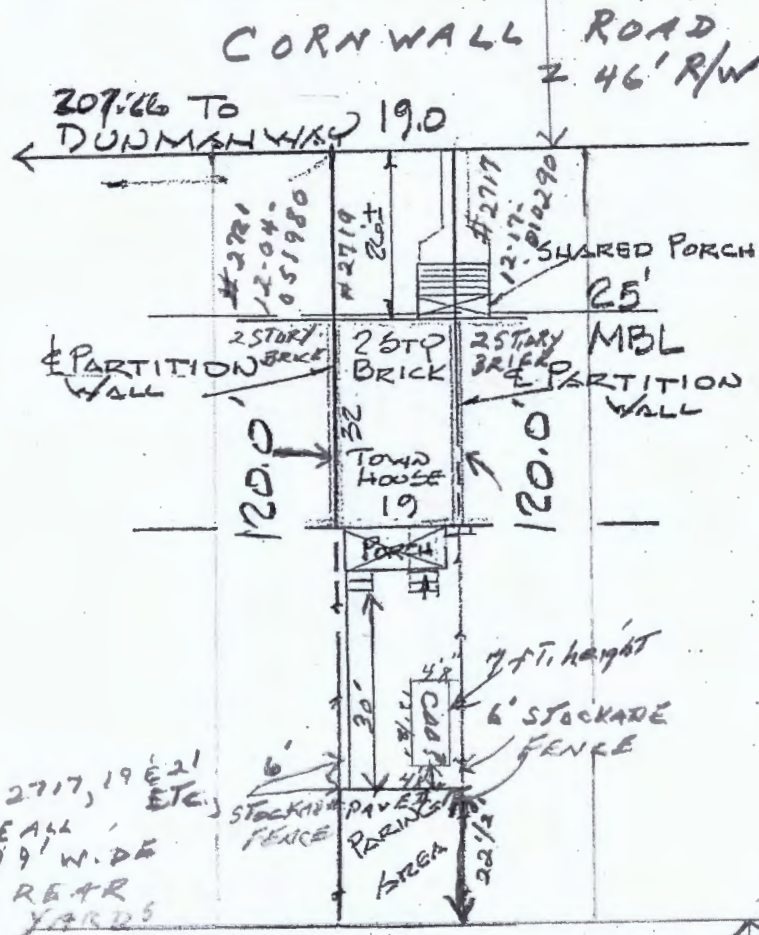






GIS MAP (NOT TO SCALE)

EED REF. # 3 1 7 6 4 / 0 0 3 2 6 - 3 4  
\* House Built 1944



MAP 0103 GRID 0022 PARCEL 0544

EXISTING PIGEON COOP:  
4' 10" WIDE X 12' 2" LONG X 7' HEIGHT

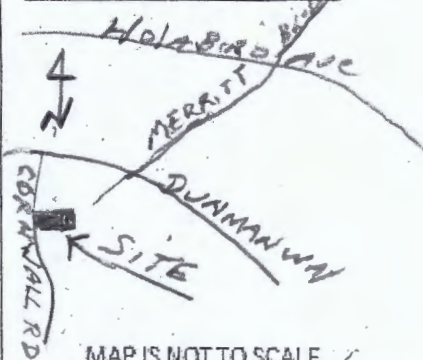
SITE IS NOT IN A FLOOD PLAIN  
ELEVATION (GROUND) IS 38'  
MAP 420F (2008).

COOP SETBACKS ARE: 1' TO SIDE  
(#2917) PROPERTY LINE, 4'8" TO  
REAR FENCE and 17'2" TO REAR  
PORCH STEPS.

PLAN DRAWN BY E.J. KUBBITZ / J. SULLIVAN DATE 5-12 SCALE: 1 INCH = 30 FEET

PLAN ALTERED FOR ZONING PURPOSES.  
REVISED

### SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 10383 (A) - 4

SITE ZONED DR-10.5

ELECTION DISTRICT 12TH

COUNCIL DISTRICT 7th

LOT AREA ACREAGE 0.052

OR SQUARE FEET 2,280 <sup>2</sup>

HISTORIC? N/A

IN CBCA? YES

IN FLOOD PLAIN ? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE     

SEWER IS:

PUBLIC ☒ PRIVATE ☐

PRIOR HEARING: NO

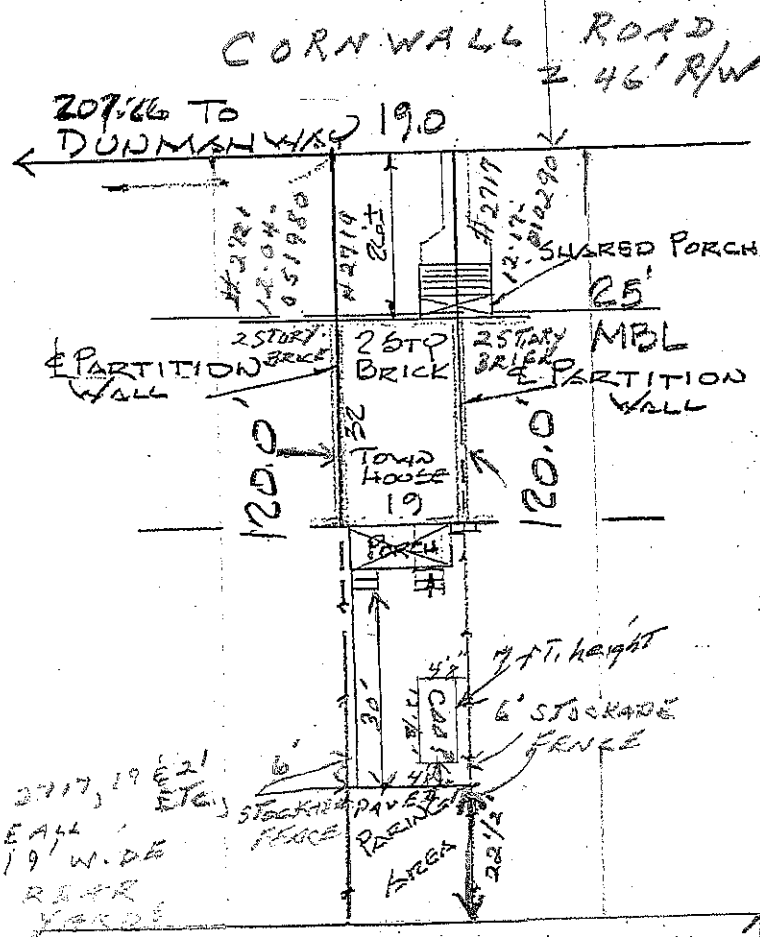
IF SO GIVE CASE NUMBER  
AND OFFER SERVICE TO HIM

AND ORDER RESULT, BELOW

**VIOLATION CASE INFO:**

107857

\* House Built 1944



2007 SETBACKS ARE: 1' TO SIDE  
(#2917) PROPERTY LINE, 4' 8" TO  
REAR FENCE and 17' 2" TO REAR  
PORCH STEPS.

PLAN ALTERED FOR ZONING PURPOSES.  
REVISED

107857

止のり

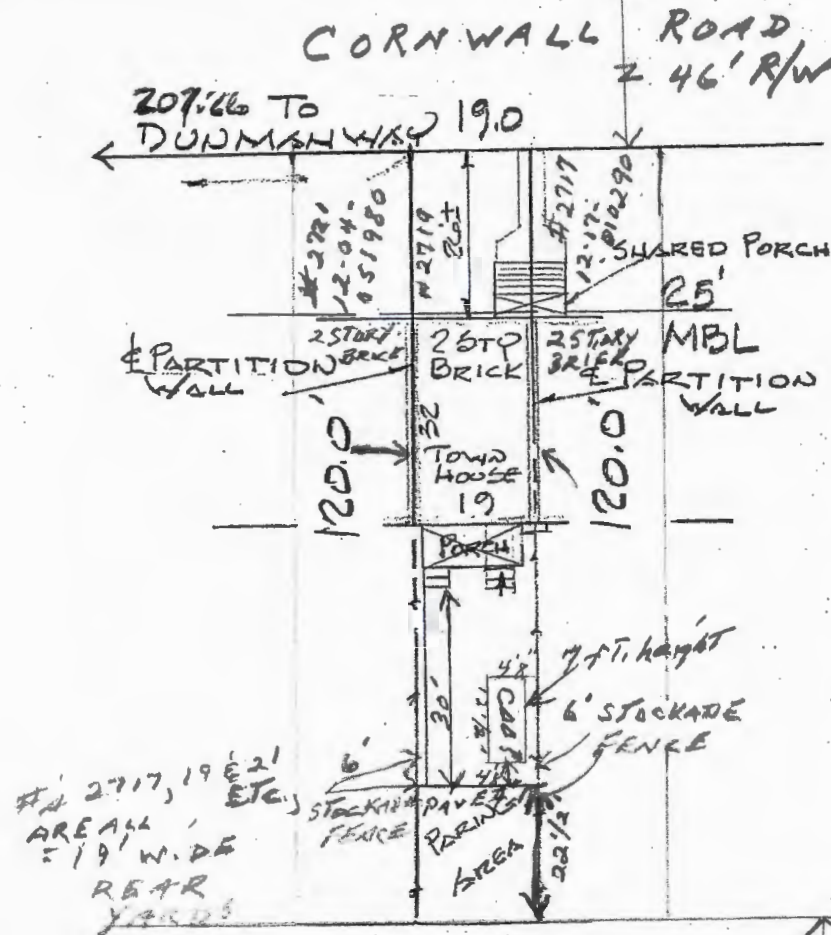
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)

ADDRESS 2919 CORNWALL ROAD OWNER(OR NAME(S)) THERESA A. SPIEGEL

SUBDIVISION NAME \_\_\_\_\_ LOT # \_\_\_\_\_ BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # \_\_\_\_\_ FOLIO # "NONE" 10 DIGIT TAX # 13 2 7 0 1 0 2 9 1 DEED REF. # 3 1 7 6 4 1 0 0 3 2 6 3 0

\* HOUSE BUILT 1944



MAP 0103 GRID 0022 PARCEL 0544

EXISTING PIGEON COOP:  
4'10" WIDE X 12' LONG X 7' HEIGHT

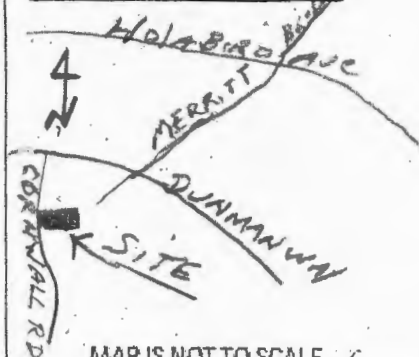
SITE IS NOT IN A FLOOD PLAIN  
ELEVATION (GROUND) IS 38'  
MAP 4206 (2008).

COOP SETBACKS ARE: 1' TO SIDE  
(#2917) PROPERTY LINE, 4'8" TO  
REAR FENCE AND 17'2" TO REAR  
PORCH STEPS.

PLAN DRAWN BY E.J. KIBBITZ, J. SULLIVAN DATE 5-12 SCALE: 1 INCH = 30 FEET

PLAN ALTERED FOR ZONING PURPOSES.  
REVISED

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 10383 (DEPT. 11, 156-4)

SITE ZONED DR-10.5

ELECTION DISTRICT 12TH

COUNCIL DISTRICT 7TH

LOT AREA ACREAGE 0.052

OR SQUARE FEET 2,280

HISTORIC? N/A

IN CBCA? YES

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC ☒ PRIVATE \_\_\_\_\_

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

107857