

MEMORANDUM

DATE: November 19, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0031-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 16, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(12 Oakwood Road)

Jennifer L. Rennebu and Stephen Lockett
Petitioners

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2013-0031-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owners, Jennifer L. Rennebu and Stephen Lockett. The Petitioners are requesting Variance relief from § 100.6 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit the housing of chickens on non-commercial property with an acreage of 7,600 sq. ft. (.175 acre) in lieu of the required 43,560 sq. ft. (1 acre). The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support for this case was Jennifer Rennebu and Stephen Lockett, Petitioners, Bryan Durst, Jenesse Wannall, and Kelly Dieumegarde. Appearing in opposition to the request was Amy Bednar and Christine Baxk, adjoining neighbors. David Gaine, Code Enforcement Officer, was also present on behalf of the Division of Code Inspections and Enforcement, Department of Permits, Approvals, and Inspections (PAI). The file reveals that the site was properly posted as required by the Baltimore County Zoning Regulations. There was some discrepancy concerning whether the Petition was advertised in the newspaper as required by the B.C.Z.R. Assuming it was not, the County would be to blame for the shortcoming, since it, and not the Petitioner, is responsible for submitting the advertisement to the publisher. In any

ORDER RECEIVED FOR FILING

Date 10-17-12

By kw

event, adjoining neighbors attended the hearing and opposed the relief, and thus actual notice was received.

This matter is currently the subject of a violation case (Case No. CO-115124). 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, 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.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Planning (DOP) on September 11, 2012, as follows:

The Department of Planning has visited the subject site, reviewed the petitioner's request and accompanying site plan.

The petitioner requests a variance to permit the housing of chickens on non-commercial property with acreage of 7600 sq. feet (.175 acre) in lieu of the permitted 43,560 sq. feet (1 acre). There is a current violation case (#115124) for chicken, rooster and rats on the subject property.

The subject lot sits at the corner of Oakwood Road and Gray Manor Terrace, and the back yard, where the chicken coop/chickens are kept is clearly visible from Gray Manor Terrace. The property is clearly visible from the neighboring property, 10 Oakwood Road, and from the rear yard of 2706 Gray Manor Terrace. The fronts of the properties on the odd side of Gray Manor Terrace (across the street) face the side and rear yard of the subject property.

The entire property is fenced with white picket style fencing, approx 3½ to 4 foot high. The contents of the rear yard are visible from the Oakwood Road. At the time of the site visit, several chickens/roosters were visible walking around the rear yard, but quiet. The chicken coop appears to be in good condition, as is another shed on the property. The homeowners appear to be avid gardeners, and there is a lot of vegetation (some overgrown) on the property. Some areas outside of the home are in need of clean up, maintenance and repair (i.e. sidewalk, vegetation, leftover wood and debris, indoor refrigerator).

ORDER RECEIVED FOR FILING

Date 10-17-12

By [Signature]

The petitioner requests a substantial variance. Granting of the request could have significant negative impacts on several neighboring properties in a fairly dense community. As such, the Department of Planning **does not support** the aforementioned variance request.

Testimony and evidence revealed that the subject property is 7,600 square feet (.175 acres) and is zoned DR 5.5. The Petitioners are avid gardeners, and grow organic produce on their property. They also have a chicken coop in the yard, and keep seven hens they refer to as "the girls." Mr. Luckett provided extensive testimony concerning his gardening practices and methods for keeping the hen house clean and sanitary. The Petitioners also submitted several photos (Exhibit 2) and a neighborhood petition with approximately 20 signatures of residents who support the Petitioners. After reviewing the materials and considering the testimony of the Petitioners, it is apparent they are sincere and conscientious residents, and I believe they are well intentioned. Unfortunately, Baltimore County law, unlike that of the City of Annapolis or Baltimore City, does not permit the keeping of chickens in a residential zone on less than one (1) acre of property.

Based upon the testimony and evidence presented, I will deny 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).

Petitioners have not met this test.

In their testimony and submissions, the Petitioners contended the subject property is unique because of the organic dirt they have cultivated over the past several years. While this may be a rare circumstance, it does not qualify as "unique" under variance case law, which looks

ORDER RECEIVED FOR FILING

Date 10-17-12

By DW

instead to the inherent physical characteristics of a property, such as its topography, shape, historical significance, etc. *Trinity Assembly of God v. People's Counsel*, 407 Md. 53, 80 (2008).

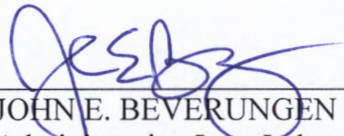
In addition, the B.C.Z.R. requires a minimum of one acre of land before an owner may keep chickens. This is obviously to provide a buffer between adjoining properties, and in this case two adjoining neighbors objected to the petition. In these circumstances, granting the relief would constitute a "use variance," which is not permitted under B.C.Z.R. Section 307 of the B.C.Z.R. provides for dimensional, parking and sign regulation variances only. Varying the acreage requirement would permit a use that would otherwise not be permitted, and the Administrative Law Judge is not given the authority to grant such a variance.

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

THEREFORE, IT IS ORDERED, this 17th day of October, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 100.6 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit the housing of chickens on non-commercial property with an acreage of 7,600 sq. ft. (.175 acre) in lieu of the permitted 43,560 sq. ft. (1 acre), be and is hereby DENIED.

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

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 10-17-12

By dlw



KEVIN KAMENETZ
County Executive

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

October 17, 2012

Jennifer L. Rennebu
Stephen Luckett
12 Oakwood Road
Baltimore, Maryland 21222

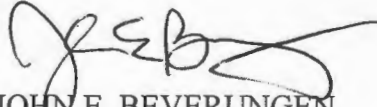
RE: Petition for Variance
Case No.: 2013-0031-A
Property: 12 Oakwood Road

Dear Ms. Rennebu and Mr. Luckett:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Bryan Durst, 9 Oakwood Road, Baltimore, MD 21222
Jenesse Wannall, 20 Hazel Avenue, Baltimore, MD 21227
Kelly Dieumegarde, 9 Oakwood Road, Baltimore, MD 21222
Amy Bednar, 2709 Gray Manor Terrace, Baltimore, MD 21222
Christine Baxk, 2707 Gray Manor Terrace, Baltimore, MD 21222
David Gaine, Code Enforcement Officer Code Inspections and Enforcement,
Department of Permits, Approvals, and Inspections (PAI).



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 12 OAKWOOD RD which is presently zoned DC 5.5
Deed References: 22577/00436 10 Digit Tax Account # 12230 01320
Property Owner(s) Printed Name(s) JENNIFER L. RENNETH

(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

Section 100.6

3. ☒ a Variance

To permit the housing of chickens on non commercial property with an acreage of 7600 square feet (.175 acre) in lieu of the permitted 43,560 square feet. (1 Acre)

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)

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Jennifer Renneba
JENNIFER RENNETH / STEPHEN LUCKETT

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

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 2013-0031-A

Filing Date 8/10/12

Do Not Schedule Dates: _____

Reviewer [Signature]

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.

For Newspaper Advertising:

Item Number or Case Number: 2013-0031-A
Petitioner: JENNIFER L. RONNOSU
Address or Location: 12 OAKWOOD RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEPHEN LUCKETT
Address: 12 OAKWOOD RD.
BALTIMORE, MD 21222
Telephone Number: 443-912-4866
4866

Zoning Property Description for 12 Oakwood Rd.

Beginning at the point on the southeast side of Oakwood Rd which is 40' r/w wide at the distance of 20' northeast of the centerline of the nearest improved intersecting street, Gray Manor terrace which is 40' r/w wide (i.e. eastside corner of intersection)

Being parts of lots 23-28, Block J, in the subdivision of Gray Manor as recorded in Baltimore County Plat Book #8, Folio 60-61 containing 7,600 sf. Located in the 12th Election District and 7th Council District.

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

No. 87126

Date: 8/10/12

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
8/10/2012 8/10/2012 09:53:00 T

REF #501 MAIL ARCH KIP
> RECEIPT # 4960-12 8/10/2012 OFCN
DEPT 5 528 ZONING VERIFICATION
CR NO. 087126

Receipt Tot \$75.00
\$75.00 OK 6.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: 75.00

Rec From: Jennifer Renneba

For: 12 Oakwood Rd
21222

2013-0031-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

Letter of Transmittal

William D. Gulick, Jr.

Consultant to Land Development and Industry
Commercial and Residential
2944 Edgewood Avenue
Baltimore, MD 21234
Phone - 410-530-6293
E-mail - wdgjr@comcast.net

To: Balto. Co. PAI, Zoning office, Attn.: Ms. Kristen Lewis

We Are Sending You: ☒ Attached ☐ Under separate cover the following items:

☐ Copy of Letter ☒ Prints ☒ Documents ☐ Other

No. of Copies Date Description

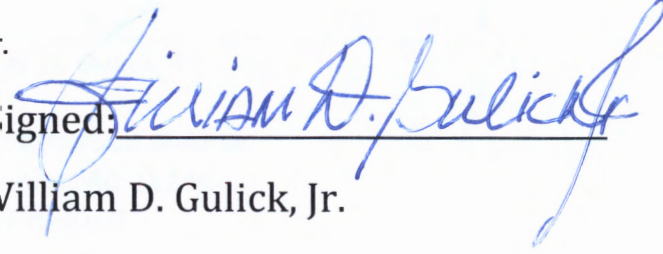
1	Sept. 21, 2012	Certificate Of Posting
2	Sept. 21, 2012	Site Photos

Transmittals are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review & content

Project: 2013-0031-A

Remarks: 12 Oakwood Rd. @Intersection of Gray Manor Terr.

Signed: 

William D. Gulick, Jr.

Project Manager

cc: Jennifer Renneba & Stephen Lockett



KEVIN KAMENETZ
County Executive

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

September 4, 2012

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: 2013-0031-A

12 Oakwood Road

S/e side of Oakwood Road at the N/e corner of Gray Manor Terrace

12th Election District – 7th Councilmanic District

Legal Owners: Jennifer Renneba & Stephen Luckett

Variance to permit the housing of chickens on non-commercial property with an acreage of 7600 square feet (.175 acre) in lieu of the permitted 43,560 square feet (1 acre).

Hearing: Thursday, October 11, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Ms. Renneba, Mr. Luckett, 12 Oakwood Road, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 21, 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, September 20, 2012 Issue - Jeffersonian

Please forward billing to:
Stephen Lockett
12 Oakwood Road
Baltimore, MD 21222

443-912-4866

NOTICE OF ZONING HEARING

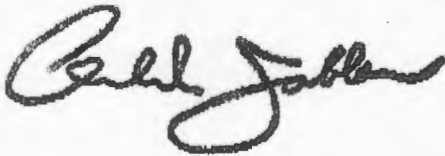
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0031-A

12 Oakwood Road
S/e side of Oakwood Road at the N/e corner of Gray Manor Terrace
12th Election District – 7th Councilmanic District
Legal Owners: Jennifer Renneba & Stephen Lockett

Variance to permit the housing of chickens on non-commercial property with an acreage of 7600 square feet (.175 acre) in lieu of the permitted 43,560 square feet (1 acre).

Hearing: Thursday, October 11, 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.

RE: PETITION FOR VARIANCE
12 Oakwood Road; SE/S Oakwood Road
@ NE corner of Gray Manor Terrace
12th Election & 7th Councilmanic Districts
Legal Owner(s): Jennifer Renneba &
Stephanie Lockett

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-031-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.

RECEIVED

AUG 14 2012

.....

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of August, 2012, a copy of the foregoing Entry of Appearance was mailed to Jennifer Renneba & Stephanie Lockett, 12 Oakwood Road, Baltimore, MD 21222, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 12 Oakwood Rd.
CASE NUMBER 2013-0031-A.
DATE 10-11-12 @ 10Am

[illegible]

CASE NAME 12 Oakwood Rd.
CASE NUMBER 2013-0031-A
DATE 10-11-12 @ 10 Am

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NAME 12 Oakwood Rd.
CASE NUMBER 2013-0031-A
DATE 10-11-12 @ 10 Am

[illegible]

Debra Wiley - Re: 12 Oakwood Rd., 21222 - Violation Case: 115124

From: David Gaine
To: Wiley, Debra
Date: 10/9/2012 3:28 PM
Subject: Re: 12 Oakwood Rd., 21222 - Violation Case: 115124

DEBBIE, NEIGHBORS ALSO WILL BE COMING TO THE HEARING TO TESTIFY

>>> Debra Wiley 10/9/2012 9:16 AM >>>
Good Morning David,

Our office is scheduled on Thursday, Oct. 11th @ 10 AM to hear zoning case no. 2013-0031-A for relief regarding the housing of chickens on non-commercial property at the above-referenced address.

There is no information in the file regarding the violation case; can you get us anything before the hearing date.

Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Debra Wiley - Re: 12 Oakwood Rd., 21222 - Violation Case: 115124

From: David Gaine
To: Wiley, Debra
Date: 10/9/2012 3:08 PM
Subject: Re: 12 Oakwood Rd., 21222 - Violation Case: 115124

SURE, NO PROBLEM

>>> Debra Wiley 10/9/2012 9:16 AM >>>
Good Morning David,

Our office is scheduled on Thursday, Oct. 11th @ 10 AM to hear zoning case no. 2013-0031-A for relief regarding the housing of chickens on non-commercial property at the above-referenced address.

There is no information in the file regarding the violation case; can you get us anything before the hearing date.

Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

search..

Search

HOME

BUY PHOTOS

THIS WEEK'S ADS

ADVERTISE

SUBSCRIBE

FAMILY FEATURES

FAQ

The Eagle Online**Archive Search****Briefs****By The People****(Submit)****Calendar****Community Links****Eagle on Vacation****Guestbook****Meetings****Mystery Beauty****Obituaries (Brief)****Reunions****Scrapbook****Studio North Point****Undiscovered Dundalk****Weddings (Brief)****Subscribers****News / Features****Sports****By The People (Read)****Obituaries (Full)****Weddings (Full)****CRYING FOWL IN DUNDALK**

Wednesday, 28 March 2012 12:41



Backyard chicken coops have become more common in Dundalk.

Reports of area chicken coops increase

by Nicole Rodman

If you think you may have heard a rooster crowing one morning around 5 a.m., you may not be as

Church News**Rec News****Senior News****Columnists**[Talk of the Town](#)[Bleacher Bum](#)[Voice Box](#)**Login Form**

Username
Password
Remember Me ☐
Login

- [Forgot your password?](#)
- [Forgot your username?](#)
- [Create an account](#)

crazy as you think.

According to one Westfield Road resident, who asked not to be identified, at one house on her block, an early rising rooster was wreaking havoc on neighborhood sleep schedules.

"I've lived here 13 years and I've never seen a rooster in a row home," she explained in a phone interview last week, describing her surprise to find a fowl living in a nearby residence.

According to the resident, the lone rooster, kept in a cage in the rowhome's small yard, did not appear to be abused or used for cockfighting.

"It was a beautiful rooster," she said, describing the bird's pristine feathers and plumage.

As it turns out, the Westfield Road bird was not food but a pet, apparently given to the family as a gift last Christmas. The family, and their rooster, have since moved from the area.

Far from an isolated incident, however, an increasing number of area residents are reporting instances of residential chicken coops in neighborhoods across the Dundalk area.

According to Graceland Park Improvement Association president Celestine "Babe" Grabowski, at least one resident in his area has called to complain about chickens being kept in local backyards.

In that specific case, the home in question is in Baltimore City, where laws regarding keeping fowl and poultry in yards are a bit more lax.

As of October 2007, Baltimore City residents are allowed to keep up to four chickens in their yard as long as they are in a moveable pen at least 25 feet from all residences.

And they must be female; due to increased noise and aggressive tendencies, keeping roosters in the city is still prohibited.

In the county, however, the laws regarding keeping fowl and livestock are more strict.

According to Article 13, Section 7, Part 311 of the Baltimore County Code, in order to keep fowl or livestock, including roosters, at a home in Baltimore County, the residence must sit on at least one acre of land.

In addition, animals may be kept as long as they do not become a nuisance to the neighborhood or area residents.

For area residents sitting on less than one acre of land, which includes most Dundalk rowhome owners, keeping fowl or livestock at the home is illegal.

County code does not offer specific regulations regarding how many animals may be kept or how they are cared for.

In Annapolis, the issue of home chicken coops has recently come into public focus as mayor Josh Cohen has recently proposed an ordinance that would allow residents to keep up to five chickens, not just hens, on their property.

"In Annapolis, and I think all across the country, there's a renewed push toward sustainability," Cohen told the Historic Annapolis Patch website on March 20, adding. "It also extends to our own backyards, where people are not only doing much more gardening themselves, but they want to do backyard chickens."

Regardless of how many chickens a resident chooses to keep or why, all flocks, both commercial and domestic, must be registered with the state.

Passed by the Maryland General Assembly in 2005, the law requires domestic poultry to be registered with the Maryland Department of Agriculture.

According to the department's website, this data is primarily used to track possible diseases among poultry in the state.

As of 2010, approximately 954 commercial flocks and 2,513 backyard flocks were registered across the state.

According to Baltimore County code enforcement inspector Dan O'Neil, there have only been two calls about residential chicken coops in the past year. Both issues have since been resolved with the removal of the birds from the property.

Baltimore County Animal Control spokeswoman Monique Lyle also noted that her department has not seen a rise in calls regarding chickens in the Dundalk area.

Despite the lack of official reports, anecdotal evidence from readers across the area suggests that raising backyard chickens, for food, eggs or even pets, has grown in popularity in the last few

years

© 2012 The Dundalk Eagle

Designed and supported by GFY Enterprises.

The practice is not without risk, however, as the risk of chicken-transmitted salmonella makes the pasttime slightly dangerous.

A type of germ that lives in the intestines of poultry, among other animals, salmonella is transmitted from chickens through their waste.

Symptoms of salmonella include diarrhea, vomiting, fever, and abdominal cramps, though the illness can be more severe for children and the elderly.

As the Center for Disease Control notes on their website, "Live poultry may have Salmonella germs in their droppings and on their bodies (feathers, feet, and beaks) even when they appear healthy and clean."

Though potentially dangerous, properly cleaned and handled chicken coops pose little harm to either owners or neighbors.

Regardless of how well they are maintained, backyard chicken coops in yards under one acre remain illegal under Baltimore County law.

For more information, or to report illegally kept poultry, contact Baltimore County Code Enforcement by calling 410-887-3351, sending email to paenforce@baltimorecountymd.gov or visiting the web at www.baltimorecountymd.gov/Agencies/permits/codeinspections.html.

[EAGLE HISTORY](#)

[DUNDALK HISTORY](#)

[CONTACT US](#)

[SUBSCRIBE](#)

We the undersigned understand that the property owner of 12 Oakwood Rd currently has 7 pet chickens. I understand from conversation with the property owner that the coop is cleaned daily and thoroughly power-washed on a monthly basis. Further, there will never be an addition of a Rooster to the coop, so noise is kept to a minimum. The owner has made available a phone number at which they can be reached if ever I have any concerns as to the well-being of these birds. By signing below, as a neighbor of that property I have no issues with said fowl as long as the surroundings are kept clean, maintained, and sanitized on a regular basis.

NAME	ADDRESS	PHONE	SIGNATURE
Moose	2706 Bayview	410 285-3572	Elizabeth M. Moose
Elizabeth	2703 Gray Manor Terrace Baltimore, MD 21222	410-961-4745	Jason Kim
Jason	2705 McComas	443-310-0291	Kim Lapinski
Dicembre	Baltimore MD 21222	410-282-5237	Linda Rider
KIM	2611 Gray Manor Terr.	443-527-5216	Jane + Bryan Durst
Lapinski	9 Oakwood Rd Dundalk MD 21222	443-850-0802	Kelly Dieumegarde
Linda Rider	9 Oakwood Rd Dundalk, MD 21222	443-376-5885	Joyce
Jane + Bryan Durst	2702 McComas Ave Dundalk, MD 21222	443-504-9090	Ronnie
Ryan + Kelly Dieumegarde	2700 McComas Ave Dundalk, MD 21222	410 288 6884	Butter
Doug + Joyce Dicembre	2701 E. ROY MANOR TERRACE BALTO MD	410 288 3451	
Amy Larsen	10 OAKWOOD RD BALTO MD 21222		
BRUCE			
MAIRE PEGEL			
Jackie + Richard Brewster			

2013-

CASE NO. 2013- 0031-A

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8-17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>9-11</u>	PLANNING (if not received, date e-mail sent _____)	<u>Does Not Support</u>
<u>8-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION

(Case No. 115124 *(E-mailed David Daine for info. 10/9)*)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Missing - Email sent 10/9
Date: _____

SIGN POSTING

Date: 9-21-12 by Shelick 20 days

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any:

** David Daine, Code Inspector, to send
notification material (10/9) and advised
neighbors will be in attendance @ hearing...*

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 12 Account Number - 1223001320

Owner Information

Owner Name: RENNEBU JENNIFER L **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 12 OAKWOOD RD
BALTIMORE MD 21222-2407 **Deed Reference:** 1) /22577/ 00436
2)

Location & Structure Information**Premises Address**

12 OAKWOOD RD
0-0000

Legal Description

PT LT 23-28
12 OAKWOOD RD
GRAY MANOR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0103	0006	0438		0000	J			3	Plat Ref: 0008/0060

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1927	1,076 SF	7,600 SF	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT ASBESTOS SHINGLE	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	49,600	49,600		
Improvements:	103,200	74,300		
Total:	152,800	123,900	123,900	123,900
Preferential Land:	0			0

Transfer Information

Seller: CURL ROBERT E	Date: 09/20/2005	Price: \$120,000
Type: ARMS LENGTH IMPROVED	Deed1: /22577/ 00436	Deed2:
Seller: BROWN WILLIAM B ROWN JULIUS	Date: 05/18/1982	Price: \$43,000
Type: ARMS LENGTH IMPROVED	Deed1: /06395/ 00448	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00
Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: Approved 11/06/2008

Debra Wiley - 12 Oakwood Rd., 21222 - Violation Case: 115124

From: Debra Wiley
To: Gaine, David
Date: 10/9/2012 9:16 AM
Subject: 12 Oakwood Rd., 21222 - Violation Case: 115124

Good Morning David,

Our office is scheduled on Thursday, Oct. 11th @ 10 AM to hear zoning case no. 2013-0031-A for relief regarding the housing of chickens on non-commercial property at the above-referenced address.

There is no information in the file regarding the violation case; can you get us anything before the hearing date.

Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

10/11 10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 5, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 12 Oakwood Road

SEP 11 2012

Item Number: 13-031

Petitioner: Jennifer Rennebu

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has visited the subject site, reviewed the petitioner's request and accompanying site plan.

The petitioner requests a variance to permit the housing of chickens on non-commercial property with acreage of 7600 sq. feet (.175 acre) in lieu of the permitted 43,560 sq. feet (1 acre). There is a current violation case (#115124) for chicken, rooster and rats on the subject property.

The subject lot sits at the corner of Oakwood Road and Gray Manor Terrace, and the back yard, where the chicken coop/chickens are kept is clearly visible from Gray Manor Terrace. The property is clearly visible from the neighboring property, 10 Oakwood Road, and from the rear yard of 2706 Gray Manor Terrace. The fronts of the properties on the odd side of Gray Manor Terrace (across the street) face the side and rear yard of the subject property.

The entire property is fenced with white picket style fencing, approx 3½ to 4 foot high. The contents of the rear yard are visible from the Oakwood Road. At the time of the site visit, several chickens/roosters were visible walking around the rear yard, but quiet. The chicken coop appears to be in good condition, as is another shed on the property. The homeowners appear to be avid gardeners, and there is a lot of vegetation (some overgrown) on the property. Some areas outside of the home are in need of clean up, maintenance and repair (i.e. sidewalk, vegetation, leftover wood and debris, indoor refrigerator).

The petitioner requests a substantial variance. Granting of the request could have significant negative impacts on several neighboring properties in a fairly dense community. As such, the Department of Planning **does not support** the aforementioned variance request.

For further information concerning the matters stated here in, please contact Terri Kingeter at 410-887-3480.

Prepared by:

Division Chief:
AVA/LL: CM

Debra Wiley - ZAC Comments - Distribution Mtg. of 8/13

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 8/15/2012 11:09 AM
Subject: ZAC Comments - Distribution Mtg. of 8/13.

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2013-0022-A - 1734 York Rd.
No hearing date in data base as of 8/15

2013-0024-A - 2533 Farringdon Rd.
Administrative Variance - Closing Date: 9/3

2013-0025-A - 7 Overhill Rd.
Administrative Variance - Closing Date: 9/3

2013-0026-SPHX - 13801 Jarrettsville Pike
No hearing date in data base as of 8/15

2013-0027-A - 1508 Leslie Road
No hearing date in data base as of 8/15

2013-0028-A - 1319 Malbay Drive
Administrative Variance - Closing Date: 9/3

2013-0029-A - 309 Delight Meadows Road
Administrative Variance - Closing Date: 8/27

2013-0030-A - 5401 Baltimore National Pike
No hearing date in data base as of 8/15

2013-0031-A - 12 Oakwood Road
No hearing date in data base as of 8/15

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

October 3, 2012

Jennifer & Stephen Renneba
12 Oakwood Road
Baltimore MD 21222

RE: Case Number: 2013-0031 A, Address: 12 Oakwood Road, 21222

Dear Mr. & Ms. Renneba:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 10, 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 that reads "W. Carl Richards, Jr." The signature is written 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



Maryland Department of Transportation

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

Date: 8-14-12

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

RE: Baltimore County

Item No 2013-0031-A

Variance

Ferriter Renneba & Stephen Lockett

12 Oakwood 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. 2013-0031-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,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director **DATE:** August 17, 2012.
2012

Department of Permits, Approvals
And Inspections

FROM: ^{DAK}
Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 27, 2012
Item Nos. 2013-0022, 0024, 0025, 0026, 0027, 0028, 0029, 0030 and 0031

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\ZAC08272012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 5, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 12 Oakwood Road

Item Number: 13-031

Petitioner: Jennifer Rennebu

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has visited the subject site, reviewed the petitioner's request and accompanying site plan.

The petitioner requests a variance to permit the housing of chickens on non-commercial property with acreage of 7600 sq. feet (.175 acre) in lieu of the permitted 43,560 sq. feet (1 acre). There is a current violation case (#115124) for chicken, rooster and rats on the subject property.

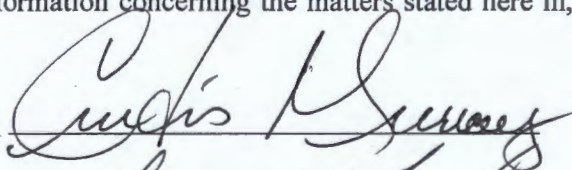
The subject lot sits at the corner of Oakwood Road and Gray Manor Terrace, and the back yard, where the chicken coop/chickens are kept is clearly visible from Gray Manor Terrace. The property is clearly visible from the neighboring property, 10 Oakwood Road, and from the rear yard of 2706 Gray Manor Terrace. The fronts of the properties on the odd side of Gray Manor Terrace (across the street) face the side and rear yard of the subject property.

The entire property is fenced with white picket style fencing, approx 3½ to 4 foot high. The contents of the rear yard are visible from the Oakwood Road. At the time of the site visit, several chickens/roosters were visible walking around the rear yard, but quiet. The chicken coop appears to be in good condition, as is another shed on the property. The homeowners appear to be avid gardeners, and there is a lot of vegetation (some overgrown) on the property. Some areas outside of the home are in need of clean up, maintenance and repair (i.e. sidewalk, vegetation, leftover wood and debris, indoor refrigerator).

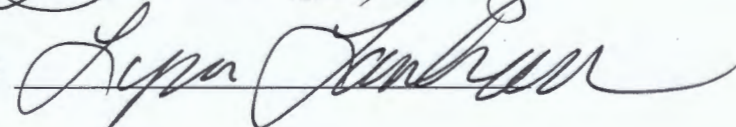
The petitioner requests a substantial variance. Granting of the request could have significant negative impacts on several neighboring properties in a fairly dense community. As such, the Department of Planning **does not support** the aforementioned variance request.

For further information concerning the matters stated here in, please contact Terri Kingeter at 410-887-3480.

Prepared by:



Division Chief:
AVA/LL: CM



Case No.: 2013-0031-A (12 Oakwood Rd.)

Exhibit Sheet

Petitioner/Developer

Protestant

JB 10/11
10 AM
DW 11-19-12
DW 10-17-12

No. 1	Site Plan	
No. 2	Photos	
No. 3	Neighborhood Petition	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO.

2

2013-0031-A

We the undersigned understand that the property owner of 12 Oakwood Rd currently has 7 pet chickens. I understand from conversation with the property owner that the coop is cleaned dally and thoroughly power-washed on a monthly basis. Further, there will never be an additon of a Rooster to the coop, so noise is kept to a minimum. The owner has made available a phone number at which they can be reached if ever I have any concerns as to the well-being of these birds. By signing below, as a neighbor of that property I have no issues with said fowl as long as the surroundings are kept clean, maintained, and sanitized on a regular basis.

NAME	ADDRESS	PHONE	SIGNATURE
<i>ABOTT/12/16 PRC</i> Elizabeth Moore	2706 Gray Manor Dr	410 285-3552	Elizabeth M Moore
Jason Dicembre	2703 Gray Manor Terrace Baltimore, MD 21222	410-961-4745	Jason Lin
KIM Lapinski	2706 McCombs Baltimore MD 21222	443-310-0291	Kim Lapinski
Linda Rider	2611 Gray Manor Terr.	410-282-5237	Linda Rider
Jane + Bryan Durst	9 Oakwood Rd Dundalk MD 21222	443-527-5216	Jane Durst - Bryan Durst
Ryan + Kelly Dieumegarde	9 Oakwood Rd Dundalk, MD 21222	443-850-0802	Kelly Dieumegarde
Doug + Joyce Dicembre	2702 McCombs Ave Dundalk, MD 21222	443-376-5885	Joyce Dicembre
Amy Larsen	2704 McCombs Ave Dundalk, MD 21222	443-504-9090	Amy Larsen
BRUCE & MAIRE PEGEL	2701 E. Gray Manor Terrace BALTO. MD	410 288 6884	Bruce E Pegel
<i>ABOTT/12/16 PRC</i> Jackie + Richard Brown	10 OAKWOOD RD BALTO MD 21222	410 688 3451	Jackie Brown
Sharyn Jenkins	8 Oakwood Rd BALTO. 21222	410 285-8750	Sharyn Jenkins
Courtney Bender	11 Oakwood Rd. Balt. MD 21222	410.285-8779	Courtney Bender

PETITIONER'S

EXHIBIT NO.

3

2013-0031-A

We the undersigned understand that the property owner of 12 Oakwood Rd currently has 7 pet chickens. I understand from conversation with the property owner that the coop is cleaned daily and thoroughly power-washed on a monthly basis. Further, there will never be an addition of a Rooster to the coop, so noise is kept to a minimum. The owner has made available a phone number at which they can be reached if ever I have any concerns as to the well-being of these birds. By signing below, as a neighbor of that property I have no issues with said fowl as long as the surroundings are kept clean, maintained, and sanitized on a regular basis.

NAME	ADDRESS	PHONE	SIGNATURE
D. Bonolis	7 Oakwood	410-285-3907	Dominic Bonolis
Earl Henderson	6 Oakwood	443-825-2213	Earl K Henderson
Earl Henderson	Oakwood	443-473-8848	Earl K Henderson
D. Brooks	2710 Gray Manor	443-926-6605	Dorothy Brooks
T. Laurins	2689 Gray Manor	Tenn. 0350 410-788-	Theresa Laurins
Ruth Elliott	3 Ashwood	410-232-6379	Ruth Elliott
Cera Spallone	6 Parkwood Rd	410-456-7128	Cera Spallone
Walter Mares	1 Parkwood Rd	410-281-3000	Walter Mares
Christine Shuck	11 Parkwood	410-812-2834	Chr
Ronald Lapinski	5 Oakwood	410-282-2219	Ronald Lapinski

2013-0031-A

13-031

Steve's copy

Hello. My name is Steve Luckett. My wife Jennifer Rennebu is the property owner of 12 Oakwood Rd in Dundalk MD. We are here today because we filed a variance allowing us to keep chickens in our yard of 7600 square ft (.175 acre) in lieu of the permitted 43,560 sq. feet (1 acre). Baltimore County Zoning requires property owners to have 1 acre of land before they allow chickens.

We, the petitioners have to prove to the satisfaction of the Administrative Law Judge that the property at 12 Oakwood Rd is unique, unusual, and different from the surrounding properties. How is our property different? We had to think about it.

My wife and I are not lawyers, I was a realtor until the economy took a nose dive. My wife is a nurse. We had to do some research in order to have some basic understanding of the legal burden of proof that we had to satisfy the granting of our petition to keep our 7 girls.

We had to look up some definitions so bare with me, so we can tie it together soon. Zoning is a device of land-use planning used by local government in most developed countries. Zoning in our case is use-based (regulating uses to which the land may be used)

Good old Wikipedia again, defines land as the ground or soil; a topographically or functionally distinct tract such as desert land, prime building land or fertile land. The extent of our real property is the air above 12 Oakwood Rd, the soil rights, and mineral rights below 12 Oakwood Rd.

Well, if you look at our property you can tell that there are some obvious differences from surrounding properties because we are gardeners. The person from zoning who visited our property noted we are avid gardeners. That is true. That brings us back to the question of how is our property is different from the surrounding properties?

Dirt. Specifically, organic dirt. We are different because our ground or soil is organic. As organic gardeners, our goal is to nourish and enrich our soil continuously. We grow most of our vegetables organically for the year to hedge against the high food prices at the supermarket and for our health. Our soil health is essential to growing healthy, organic vegetables. (PICTURE, whos soil would you plant in?)

We don't use pesticides or fertilizers. We use grass clippings, leaves, and compost to improve the soil, but we need a method of fertilizing the gardens organically. Enter the need for chickens. We used to BRING CHICKEN

ADD
FROM
FACT
SHEET

MANURE IN BY THE TRUCKLOADS to fertilize the gardens and yard, naturally and organically like nature had intended. Chicken Manure is used by many gardeners and even commercial farms because of its high levels of Nitrogen, Phosphorus, and Potassium (N-P-K) far more than that of Horse or Cow Manure. We use chicken manure also because it has far less weed seeds.

According to the Organic Trade Association organic soil can be interpreted as cultivated land that doesn't use chemicals and pesticides. Only soil 3 years removed from traditional farming methods qualifies as organic under OTA rules.

According to aboutorganics.co.uk.organic_gardening "organic soil is a healthy soil, rich in nutrients and life, is the essential building block of any garden. Organic soil is complex and a delicate ecosystem...with a multitude of organisms converting nutrients that your plants will thrive on." Organic soil also reduces the toxicity passed down the food chain. *Organic soil retains nutrients & moisture. Sustainable.* Obviously, this uniqueness causes the zoning provision to impact more on our property than neighboring properties because we are continuously concerned about our soil health, unlike many of our neighbors who do not garden or are not concerned about organic growth.

Did we cause this uniqueness? We did withhold chemicals and fertilizers. We only amended the soil with natural ingredients, grass, leaves, chicken manure, compost, etc... but no we didn't create this soil. I guess it depends on what you believe. We believe God created the thriving ecosystem that is our organic soil, we are only stewards of His work. *Walk thru a forest & pick up the loose crumbly soil - made without interventions.* In order to obtain our variance we still have more criteria that we need to meet. There is a practical difficulty in conformance to the zoning law of requiring more than 1 acre as it is unnecessarily burdensome in several ways.

- Our financial situation and home mortgage constrains us from moving to a different location. The real estate market has put our current home under water.
- We would have to locate someone who had chicken manure for sale and negotiate terms and conditions of purchase.
 - We would have to inquire how the birds were raised and whether they were treated humanely; cage free and able to forage naturally. The minute you say cage free the price instantly goes up.
- This is one of the reasons we decided to get the chickens because the price of chicken manure had gone up so high since more people are taking

advantage of the "green movement"-becoming more sustainable or homesteading.

- A small trash bag of unknown quality of chicken manure at Richardsons Farm in Middle River is \$6 plus the time and expense of the drive to get the manure.
- Our purchase was anywhere from \$50-\$100 per truckload and that was with us doing the shoveling to load and unload.
- When we arrived home we would have to make a pile because we wanted to put it around the yard or mix into the compost, so it took a while, one shovel at a time. It was definitely unnecessarily burdensome to haul and shovel all that manure.
- We are in our 50's and it has become much tougher for either of us to do that shoveling any longer. If anyone contests that this is not burdensome, I challenge them to actually helping me load and unload truckloads of chicken manure, shovel by shovel. I will provide the shovels.
- Raising our own gave us confidence in knowing how the chickens were treated and fed. (Chicken Picture-Battery Cages)

Next, zoning criteria called for us to prove substantial injustice. I had trouble finding a definition of what substantial injustice was. On Lawyers.com substantial justice is justice administered according to the substance and not necessarily the form of the law. Hmmm. What the heck does that mean? Abiding by the letter of the law would be a substantial injustice to us because we believe that growing organically is healthier for us, our neighbors and the environment, it is natural and how God had intended. We cannot afford to buy organic non-hybrid food to prevent the intake of Genetically Modified Organism (GMO) but we can grow non-hybrid non GMO produce in our own yard. No injustice would be done to neighboring property owners just because I have chickens. Our property is not toxic and there is no chemical runoff.

The planning person that visited our property, Ms Kingeter, did not mention any negative about our girls, actually stating that she saw them walking around the yard-QUIETLY. I think it also important to note what she did not mention-SMELL. There is no smell. We remove all manure and clean the coop daily. We also wash down the entire coop weekly, power-washing once per month.

She also made mention of the coop being in good condition, as was our other shed. When we planned the chicken coop we took into consideration how it would look in the neighborhood. We wanted it to match our house and shed. We didn't want

move to property values, on next pg with stars

it to be an eyesore so we built it accordingly so that it is in harmony with the rest of the buildings in the neighborhood.

Beyond manure, our girls offer other services on a daily basis. They scratch the soil all day looking for things to eat, which aerates the soil in a natural manner. We have seen them eat bees, flies, spiders, crickets, worms, beetles, slugs, a toad, and baby rats. The list goes on and on and some things we can't say for sure that they ate because we don't know what they find when they are foraging.

There may be some concern about chickens on the property at 12 Oakwood that they would cause property values to decline. Many major cities across the Country, with the highest property values allow chickens: San Francisco, Las Vegas, and New York, NY Not to mention the capitol city of Maryland, Annapolis, MD.

The average property that sold in Annapolis, MD through August 2012 was \$391,500 according to Zillow.com. In our research, the cities that allow backyard chickens are the more educated, professional neighborhoods with higher property values. Would this have anything to do with it being more sustainable and of growing food closer to home. There is NO evidence anywhere we could find that chickens on our property will reduce property values.

Granting this variance to keep our girls on the property at 12 Oakwood Rd. will not impede the supply of light and air to adjacent properties. Granting this variance will not increase the risk of fire or endanger public safety. Granting this variance would not diminish property values in the neighborhood. Granting this variance would not negatively impact the health of the public, their safety, comfort, morals, or compromise the welfare of residents of Gray Manor or Dundalk. The granting of this variance will not increase residential density beyond what is permitted. Granting this variance would not diminish property values in the neighborhood.

Our request to keep chickens would not cause any substantial injury to the health of the public, their safety or public general welfare. We have had "our girls" for 9 months now. No one is sick or has gotten sick. The chickens are all healthy, foraging, scratching, eating and pooping. Oh, I forgot to mention laying healthy brown eggs to boot. ~~Did I say chickens are amazing~~ We check them daily.

We called the MD Department of Agriculture Poultry Registration to inquire about registering our girls and found that there is no required medical testing or vaccinations. The City of Annapolis does not require any special testing or vaccinations to keep chickens in the yards.

I went to the CDC to look up cases of Avian Flu here in US. It referred me to the World Health Organization. No cases of Avian Flu Reported here. See sheet -

We pick up the chicken manure and put it into a contained composter. When it is composted down to "black gold" we put it on the gardens and yard. There is no toxic runoff from our yard onto any neighboring yard. Even if it rains and the chicken manure washes away, it is only beneficial, not hazardous. The same cannot be said of dog or cat feces. In 1991, dog waste was labeled a non-point source pollutant by the Environmental Protection Agency (EPA), placing it in the same category as herbicides and insecticides; oil, grease and toxic chemicals; and acid drainage from abandoned mines. There is a cost to the county both in transportation and disposal of cat & dog waste, not to mention the runoff to contaminate the Chesapeake Bay.

There is a cycle of life: Let's start with planting tomatoes in the garden. We grow them, we pick them, we eat them, and what is left over goes to the girls. They eat them. They poop, we compost chicken manure. We put it on the garden, we grow more tomatoes. There is no waste. The cycle goes on and on.

One of the complaints was rats. Rats were in Dundalk long before our girls ever came to live with us. We have put out rat poison, pet safe poison traps, and the rats/mice did not eat it. We put out those little black boxes with the poison in them and they did not touch it.

Amazingly, our girls are natural predators of small rodents and will eat the babies. When we tore down our strawberry tower, the chickens were foraging through the dirt and remains of wood and found a couple of baby rats or mice, they fought over eating them. We wanted to see if it was a fluke that they really ate them so we purchased baby rats from the pet store. Sure enough they fought over them and ate the baby rats. I personally believe that removing chickens from Baltimore County years ago took away a natural predator of rats. Jennifer's medical director, Dr. Muneses said they also eat snakes, mice, ticks, mosquitoes. And it is all a natural process.

In the spirit of getting along and trying to negotiate with all the neighbors we could agree to a lesser relaxation than applied for initially that would give us substantial relief of procuring chicken manure to keep our soil healthy, our plants fertilized naturally and remain organic and good for the environment.

We propose that our property be an experimental property with less than an acre of land for 1 year. We would propose for substantial relief that we would model the experiment on the laws just passed in April 2012 by the City of Annapolis concerning Backyard chickens.

- No roosters allowed

- Keep the chickens on subject property
- Coop shall be sturdy (Our coop actually meets the coop requirements of Annapolis (see attached))
- Coop shall be completely enclosed, protective covering and doors shall be secured as to prevent predator access
- No chicken will be raised for the purpose of consumption
- We will register with the Maryland Department of Agriculture Poultry Registration
- Unannounced Random inspections
- Approval from abutting owners of intent to keep chickens. (We actually have approval from our abutting property owners of our chickens. The closest neighbor to our chicken coop is Rick and Jackie ^{Drew & Ev} at 10 Oakwood Rd. They do not have a problem with them at all and actually signed the paper included in the filing of this variance. Our other abutting property is Elizabeth Moose. She also signed our initial paperwork that it is fine to have the chickens. She sits on her porch and enjoys watching them. She always tells us things about them. Like they climbed up on the bean poles and were stealing beans. Or recently she asked if they would stay in the coop in the winter. She was concerned they would be cold.) SHOW UPDATED SIGNATURE LIST

In closing, I would like to quote our Gov. O'Malley who recently gave a speech in regards to the environment on 9/29/12. "Notwithstanding the many challenges facing our natural resources and our environment today, we have reason to be hopeful, for at the end of the day, our problems are man-made and so too are the solutions. The hands that have caused the harm now have the power to heal."

Compare to

Compare: Annapolis vs Baltimore County +1 0 Tweet 0 Like 0

Home Values in Annapolis and Baltimore County

	■ Annapolis vs Baltimore County ■	
Zillow Home Value Index [?]	\$356,500 vs \$200,700	
1-Year Change	+0.7% vs +0.5%	
Median List Price	\$457,500 vs \$229,500	
Median Sale Price	\$391,500 vs \$222,900	
For Sale Listings on Zillow	826 homes vs 3863 homes	
Total Homes Sold in Aug	Data Unavailable. vs 819 homes	

Annapolis, MD tends to be more expensive for home buyers than Baltimore County, MD. During the last year, Annapolis home values have risen by 0.7%, while Baltimore County home values have risen by 0.5%. The median sale price in Annapolis is \$391,500, but the median listing price was \$457,500, a 14.4% discount. Meanwhile in Baltimore County, the median selling price is \$222,900, and the starting price had a median of \$229,500, a 2.9% discount. There are currently 826 homes for sale in Annapolis and 3863 for sale in Baltimore County.

From 2010 U.S Census: Annapolis, MD

Family Income Levels –5 year Average 2006-2010

Families	8,664	+/-445	8,664	(X)
Less than \$10,000	326	+/-132	3.8%	+/-1.5
\$10,000 to \$14,999	215	+/-145	2.5%	+/-1.7
\$15,000 to \$24,999	580	+/-210	6.7%	+/-2.3
\$25,000 to \$34,999	632	+/-178	7.3%	+/-2.0
\$35,000 to \$49,999	546	+/-156	6.3%	+/-1.7
\$50,000 to \$74,999	1,355	+/-192	15.6%	+/-2.1
\$75,000 to \$99,999	1,195	+/-224	13.8%	+/-2.5
\$100,000 to \$149,999	1,777	+/-268	20.5%	+/-3.1
\$150,000 to \$199,999	782	+/-171	9.0%	+/-1.9
\$200,000 or more	1,256	+/-210	14.5%	+/-2.4
Median family income (dollars)	88,646	+/-4,074	(X)	(X)
Mean family income (dollars)	118,250	+/-7,557	(X)	(X)

Education Level

1 - 102 of 102	Subject	Annapolis city, Maryland	
		Number	Percent
	SCHOOL ENROLLMENT		
	Population 3 years and over enrolled in school	8,725	100.0
	Nursery school, preschool	723	8.3
	Kindergarten	449	5.1
	Elementary school (grades 1-8)	3,346	38.3
	High school (grades 9-12)	1,712	19.6
	College or graduate school	2,495	28.6
	EDUCATIONAL ATTAINMENT		
	Population 25 years and over	24,630	100.0
	Less than 9th grade	1,440	5.8
	9th to 12th grade, no diploma	2,900	11.8
	High school graduate (includes equivalency)	5,005	20.3
	Some college, no degree	4,511	18.3
	Associate degree	1,247	5.1
	Bachelor's degree	5,579	22.7
	Graduate or professional degree	3,948	16.0
	Percent high school graduate or higher	82.4	(X)
	Percent bachelor's degree or higher	38.7	(X)

Compare: Baltimore County vs Dundalk

Re+1 0

Tweet 0

Like 0

Home Values in Baltimore County and Dundalk

Baltimore County vs Dundalk

Zillow Home Value Index ?	\$200,700	vs	\$124,300	
1-Year Change	+0.5%	vs	-0.6%	
Median List Price	\$229,500	vs	\$122,900	
Median Sale Price	\$222,900	vs	\$123,900	
For Sale Listings on Zillow	3886 homes	vs	319 homes	
Total Homes Sold in Aug	819 homes	vs	56 homes	

Baltimore County, MD tends to be more expensive for home buyers than Dundalk, MD. During the last year, Baltimore County home values have risen by 0.5%, while Dundalk home values have fallen by 0.6%. The median sale price in Baltimore County is \$222,900, but the median listing price was \$229,500, a 2.9% discount. Meanwhile in Dundalk, the median selling price is \$123,900, and the starting price had a median of \$122,900, a 0.8% increase. There are currently 3886 homes for sale in Baltimore County and 319 for sale in Dundalk. In August, Baltimore County home sellers managed to move 819 houses, while Dundalk saw 56 transactions.

Projects
Mentoring
Program
Rural Women's
Project
Trainings |
Field Days
Young Organic
Stewards



FACT SHEETS

Complete List | Starter Packet | Certification | Transitioning |
Production Aids | Processing | Marketing | Other Resources

The Importance of Organic Matter to Soil Fertility and Crop Health

[Download PDF to print](#)



One of the greatest challenges producers face when beginning organic management is providing adequate fertility to meet crop needs. Synthetic fertilizers provide nutrients in an inorganic form, and are therefore immediately available for uptake by the crop. In the absence of these fertilizers, organic nutrient sources are needed to supply fertility. These sources require processing by the soil microbial community before plants can utilize them. Soils that have been under conventional management often do not support the levels of organic matter needed to supply plant nutrients, or an active microbial community that can efficiently process those nutrients and make them available to the crop. However, careful planning of fertility programs can alleviate nutrient deficiencies that may occur in the transition years, as well as help to build healthy, disease and pest resistant soils and crops.

Soil organic matter is the most fundamental source of fertility in organic agriculture and it is important for producers to understand the basics of organic matter cycling in the soil. Soil organic matter is that portion of the soil that consists of biological residues, from plant to animal to microorganism. Organic residues supply not only readily available nutrient sources but also the building blocks of humus. Humus is the product that is left over after decomposition has ended, and it is extremely important in increasing and maintaining soil fertility. It possesses an overall negative charge, which means that positively-charged nutrients are attracted to it. Humus can be thought of as a bank which holds nutrients and can release them in response to plant or microorganism needs.

Including a broad selection of crops in a rotation ensures diverse sources of organic matter, and is an important strategy for increasing the overall organic matter content of the soil. Low carbon-to-nitrogen (C:N) ratio materials such as legume residues decompose quickly because they contain relatively large amounts of nitrogen, but they contribute very little to the building of humus. High C:N ratio residues such as cornstalks, on the other hand, break down more slowly in the soil. These residues increase humus content but contribute relatively fewer readily available nutrients.

Diverse residue sources sustain a microbial community that is efficient and has more diversity. For instance, bacteria are associated with high nitrogen materials, while the abundance of fungi increases in relation to high carbon

materials. It is important to note that if the C:N ratio of the soil is too high, nitrogen will be in short supply and will be used up by microorganisms before it is available to the crop. Over time, and with good soil management, the cycling of nutrients through microbial biomass will reach equilibrium. At that point nutrients will be readily available for crop needs.



High organic matter content also has a positive effect on soil physical properties. For example, soils with high organic matter content contain a greater abundance of water-stable aggregates and have a greater exchange capacity, which translates into better structure and water-holding and nutrient absorption capacities. Larger aggregates also slow organic matter degradation, producing a slowly mineralizing pool of nutrients.

Organic matter also reduces crop attractiveness to insect pests. In fact, crops growing in soils receiving diverse organic matter inputs have been shown to be less attractive to some insect pests, as a result of a more nutritionally-balanced growth medium. The effect of fertilization based on one nutrient out of balance with other essential nutrients often leads to an environment attractive to insect pests. A plant grown in mineral-balanced soil will first produce simple metabolic compounds, such as amino acids and sugars, which are then made into secondary metabolic compounds that promote (1) vegetative/reproductive growth and (2) enhanced insect and disease resistance. In environments with an excess of readily available N the plant will accumulate a large amount of simple compounds, being unable to metabolize these compounds further due to the nutrient imbalance. Not only does the absence of secondary compounds reduce pest resistance, but the simple compounds actually attract herbivorous insects.

In many cases, healthy soils can also promote the suppression of common soil-borne crop diseases. Many plant pathogens are poor competitors in the soil and therefore general suppression of these pathogens results from competition for resources by other non-pathogenic microorganisms. This type of suppression is a result of a diverse microbial community. A soil system that is nutrient deficient will often lack an active microbial community, creating inefficiencies and imbalances in the community which pathogens can exploit. Apart from general suppression, specific suppression can also occur. This usually takes the form of predation of plant pathogens by other soil microbes.

Soil fertility can also affect weed abundance. Increasing organic matter content has been found to be related to decreased weed abundance. This is due to a higher abundance of bacteria being present which degrade and consume weed seeds. Weed seed predation by invertebrates such as crickets and beetles is also important and is enhanced by increasing ground cover. The distribution of weeds in a field also has some links with varying soil properties. Weeds have the ability to adapt to and survive in a vast array of soil conditions. However, for all plant species there are certain soil conditions that are most favorable. Therefore weeds can sometimes be useful as indicators of soil conditions and imbalances. For example, giant ragweed is associated with low or unavailable soil potassium, and velvetleaf is associated with low or unavailable calcium and phosphorus. Overall, weed occurrence is probably related to the ratio of one nutrient concentration to any number of other nutrient concentrations, or the interaction of various soil physical properties.

The benefits of healthy soils to crops are many, and management is the key to ensure that a soil is functioning correctly. Practices that can help to build healthy soils include crop rotation, organic matter additions and mineral and nutrient amendments to correct soil imbalances. The inclusion of green

manures and cover crops in a rotation is an excellent way to sponsor fertility, suppress weeds and provide a break in pest cycles. Incorporating several different species of crops in a rotation, along with manures and/or compost, ensures a diversity of organic matter sources. Diversity ensures sufficient organic C and N for humus formation and produces a pool of potentially available nutrients that can become mobilized according to crop demand. This reduces leaching, waste and toxicity that can result from immediately-available inorganic fertilizer additions. Ultimately, managing for good soil fertility is extremely important because the soil environment and the surrounding air environment are in reality virtually inseparable, and the establishment of a functional and stable system in one environment can have far-reaching impacts in the other.

updated October 2009

[Return to TOP](#)

Midwest Organic and Sustainable Education Service (MOSES)

© Midwest Organic and Sustainable Education Service

PO Box 339, Spring Valley, WI 54767



Big Mamma—winner of the “Rat Fight”





our girls



View from sidewalk in front of 2707-09 Glenview Terrace
into backyard of 12 Oakwood Rd.

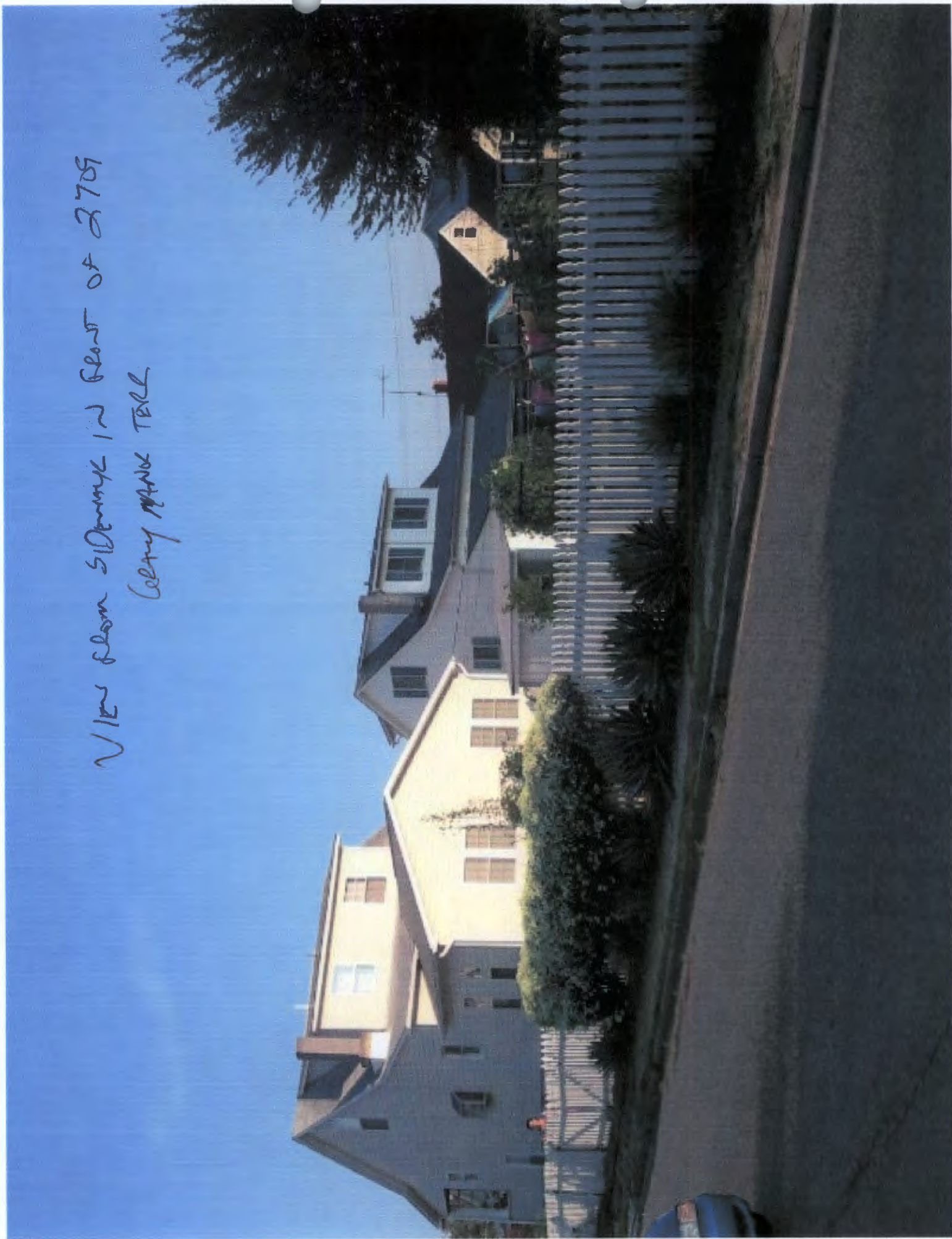


our coop with a faux gray stone terrace



Front of Coop with Faces
10 OAKWOOD RD BACKYARD

View from Sidewalk in front of 2709
Cecily Marie Telle





View from 2709 Gray Wood Terrace



VIEW FROM SIDEWALK IN FRONT OF
2707 GLENY MARK TOWER



VIEW FROM 2706 GRAY MANE TERRACE -
ASUTIN PROPERTY.



OUR GRAPE ARBOR



our "LIFETIME" COMPOST TUMBLER



OUR TRASH CAN HOUSE



Frontal Coop View



OUR EGGS



Fence Row cleaned up after
harvest season -

Flower beds overgrown, now cleaned.

I would like to take a couple minutes of your time to educate you on backyard chickens and change some of those preconceived ideas some people have about chickens. Most people do not have good first impressions about chickens. The earliest impression I had of chickens was when my family drove past a commercial chicken operation and the smell was horrible. That is a memory I would like to change.

Hens lay eggs without roosters. The rooster fertilizes the egg of the hen to produce a fertile egg. The hen sets on the egg and it might hatch. My girls are a heavy laying breed of large to extra-large dark brown eggs. I couldn't afford to buy the organic, extra-large brown eggs that they lay. The girls have even laid some double yolk eggs. I also have seven pet hens, who I call "the girls". I do not have any roosters.

The girls lay in their nesting boxes in the coop. They have figured out what the boxes are for because they don't poop in their boxes. Sometimes the girls might cluck for another hen to hurry up so they can take their turn in the box. Sometimes, but not every time the hen might squawk (that is the only way to describe it) when laying the egg. This only happens during the day and not every time they lay. Each hen lays an egg about every 26-28 hours. So obviously they will only squawk at the most once a day and some of the girls don't squawk after laying their egg. Usually Henny Penny, the littlest hen is the one that squawks. I imagine it hurts to lay an egg or maybe she is just proud of her accomplishment. The girls started laying eggs in August. As time has went on the girls make less noise than initially.

I don't think it is any louder than a lawnmower, weed eater, cars, or motorcycles. It isn't any louder or more annoying than a St. Bernard barking and the owner bellowing for the dog to stop. On Saturday and Sunday when people are home we try to keep them quiet so people can sleep. The noise is just an unfamiliar sound people aren't familiar with. Some of our neighbors are surprised to find out we actually have chickens, they didn't realize we had chickens after nine months. I will say here again we don't have roosters. Roosters would crow cock-a-doodle doo all night and day.

When the girls are foraging in the yard they are quiet and happy. The girls take dust baths in the dirt. The girls will spin their body all the way around flapping their wings. They actually take the dirt baths to clean themselves. (The first time I saw this I thought they were having a seizure.) The girls sunbathe, stretch out their wings and feet and enjoy the sun. We also use food grade diatomaceous earth to keep the girls' pest free.

We don't leave them outside when we leave. We lock them in the coop at night for their protection.

Chickens are omnivores. They can eat anything we can eat, (but they won't) plus lots of stuff we wouldn't eat. Two of their favorite foods are bread and mealworms. They love seeds and will eat leftovers from the garden and our table. (What they don't eat in a little while we clean right up) They would even eat chicken. (That seems so wrong!)

Before dark, the girls will put themselves to bed. They roost on a perch in the coop at night. They don't make any noise at night, unless a predator is trying to get them. The coop is right outside our bedroom window and we haven't heard a peep out of them. We lock them in the coop at night for their protection.

When I weed the garden, they usually help me. The girls stand by and wait for the critters to run out so they eat them. They eat crickets, spiders, worms, bugs, and slugs. My medical director, Dr. Muneses said that chickens also eat snakes, mice, ticks and mosquitos! One of the lucky girls ate a toad and a baby rat the other day. This is a natural, healthy diet for chickens.

Lets talk about rats. Rats were in Dundalk before I ever got my chickens. When building the coop we took into consideration preventing rodents from getting into the coop. We enclosed the entire coop in hardware cloth, even underneath and on the screened windows. We have put out rat poison, they don't eat it. We tried the little black boxes with poison in it, and they don't eat it either. We have tried to cut back a lot of the unnecessary vegetation so it will not give rodents a place to hide. We built a raised platform area for our trash to prevent rodents from getting into the trash.

I am working on lots of things to facilitate neighbor concerns. We built a grape arbor for our grapevine to muffle the sights and sounds between our yard and the neighbor who filed the complaint. We also are planting fruit trees in front of the coop to hide the coop from the street. We have bought a contained compost system for the chicken manure.

When I planned the chicken coop I took into consideration how it would look in the neighborhood. I wanted it to match our house and shed. I didn't want it to be an eyesore to the neighbors so we build it thinking of how it would look in the neighborhood.

Someone mentioned that the having chickens in your community could negatively affect property values. Unfortunately, most property values were very low before I

got my girls. New York, NY allows chickens and their properties are very expensive. California has multiple cities that allow backyard chickens and they have very expensive property values. Many towns and cities across the country are allowing chickens due to all the benefits of raising chickens. Ironically, Baltimore City allows chickens in the postage size yards.

Recently, the city of Annapolis Maryland legalized backyard chickens. According to Zillow, the average cost of a home sold there in August 2012 was \$391,500. One of the stipulations is to obtain approval from all abutting owners, of which I can obtain these signatures again even though the signatures are included in my initial application for this variance. They also have a \$55. Registration fee. At this time the Department of Neighborhood and Environmental Programs stated that they have about 12-13 registrations on file, generating income for the city. They also include in the conditions to keep all chickens within the property. Also mentioned is that we handle the chicken manure in way that doesn't cause pollution or environmental harm. I have included in this packet the registry and approval form conditions for your perusal.

We would have preferred to sell our house and move to the country. Like so many other Americans, we are upside down on our mortgage so we have had to hunker down here and do what we can to survive and thrive. When property values go back up we will happily take our girls and move to the country. Rabbits raised for meat are legal. Beekeeping is legal. Unfortunately, a seven pound hen is not legal. The irony is that the chicken is so useful and productive.

According to a study done by Mother Earth News, free range chickens produce healthier eggs than commercially caged hens. These eggs have about half as much cholesterol, twice as much Vitamin E, 2-6 times richer in Vitamin A and omega 3 fatty acids averaged 4 times more than commercially caged hens.

- Chickens reduce bug/pest population
- Chickens scratch up the gardens and loosen soil
- Chickens eat weeds and undesirable weed seeds
- Chicken manure is valuable as fertilizer
- Eggs are more nutritious
- More self-sufficient life style growing and harvesting your own food
- Nothing goes to waste (unintended Pun)
- Backyard chickens save money
- Fun and educational to watch
- Chickens are treated more humanely than caged chickens not allowed to scratch and forage

- Commercial chickens are treated with antibiotics and can cause an increase in drug resistance in people

We have always been quiet neighbors that lead simple lives. No wild parties, no loud music. We mind our own business but if we notice someone snooping around a neighbors' house we would call the police and we would want someone to do the same. If you need a jump on your car battery we would want you to ask for help. If I have extra egg's I would be more than happy to share. There may be a time when we all need each other in this crazy world, isn't there enough division and hate in this world?

My girls have been the most beneficial addition to our family. They have been more fascinating and more rewarding that I ever dreamed possible. When I come home after a stressful day at work, I go outside to watch the girls. All the stress of the day, the violence, and hate in the world just melts away with a big sigh. I hope you can find it in your hearts to support me in keeping "my girls".

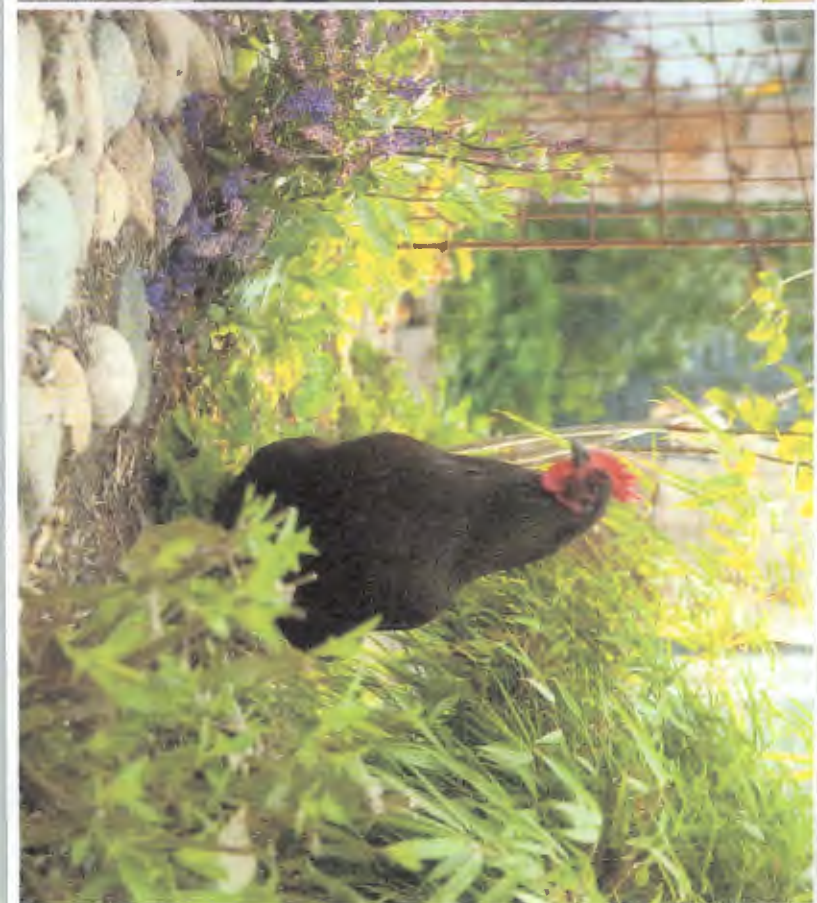
Come by and meet Buffy, Big Mamma, Lil Mamma, Henny Penny, Chicken Little, Tori, and Ginger. Meet our amazing foragers, hunters and our friends, "the girls"



From the book:
Free-Range
Chicken Gardens
How to create a
Beautiful
Chicken-Friendly
Garden
by Jessi
Bloom

chic

How to Create a



hen

W

HEN I FIRST APPROA

away that there was something do you see on an urban lot, certified professional horticulturist they live on less than one-quarter of an acre in one of the largest cities in the country.

Alana's approach to her garden should be enough food for everyone, including the birds, bees, humans, and cats. Her natural approach even goes a step further: her hens become broody, she special-izes in raising her special-ized eggs so the broody hens can raise a few more. She doesn't believe in caged animals. Mother Nature's natural processes prevents her from adding more lighting to the winter, which would trick the chickens because of what they sense is a longer day. Short winter days are a time for her hens to lay eggs.

Their coop is in the center of the yard, outside the fence between the garage and a small kitchen. Over the years, Alana has made several modifications to the coop, so now that they can walk inside it and clean it. The roof is clear, which allows maximum natural light, and doubles as a drying rack for onions during harvest time. The nest box is on the side, for multiple hens to use, is draped with a dark inside, and is accessible from an outside door to gather the eggs. The garden is lush with various vegetables, which Alana credits to her cat, a local nursery for many years. Beautiful



ZUMWA

MEET ELIZABETH ZUMWA, chicken educator, and enjoy Bantam hens and her business in a chicken tract people about chickens. So her choice every month school, is the garden club part of the regular education

The Zumwa family lives on a where the neighbors are fairly close of the fence. They chose Bantam for their reputation for being quieter in coonies. The chickens live range all yard. In an effort to keep neighbors from they positioned the coop close to the room window, so if there is any with first to hear it. The family raises other conventional pets like dogs, cats, but which can require more care and the usually lose interest in. The Bantam hens average to play dress up on occasion.

They have recognized their a backyard landscape to create a more space with a beautiful, chicken farm. The patio was extended and the new plants to increase the area with a good mix of different types, physical layers of personal rooms. Designated areas of utility are closer to the kitchen but not far from the. The chickens get kitchen scraps, even tomatoes or broccoli that they eat. The chickens do not sit right off their plates. Monthly produce includes a few that are a few blocks away, but the rest



BACKYARD CHICKENS IN THE CITY OF ANNAPOLIS



Permit application and information packet



Mayor Josh J. Cohen
Department of Neighborhood and Environmental Programs

April 2012

On April 9, 2012, The Annapolis City Council passed ordinance O-53-11: Keeping or Maintaining Chickens. This ordinance, sponsored by Mayor Josh J. Cohen, allows up to five chickens on a property upon permit approval.

Please note that there is a detailed administrative process regarding the permitting of chickens on your property.



According to Annapolis City Code Section 8.04, you may be allowed up to five chickens on your property. Prior to keeping any chickens, you must first apply for a permit by filling out the Backyard Chicken Registry and Approval Form included in this packet. There, you will find conditions that you must follow in order to keep chickens on your property. Please contact the Department of Neighborhood and Environmental Programs at 410-263-7946 for more information.

Annapolis City Code Section 8.04 – Animal Control.
8.04.010 – Maintaining Animals.

A. No person shall keep or maintain any mule, cow, calf, cattle, sheep, swine, or poultry, with the exception of chickens, no roosters, within the City.

1. A maximum of five chickens are allowed on any one property.
2. All persons shall provide their chickens with a sturdy coop and an attached, secure enclosure set back at least five (5) feet from the property line.
3. All persons keeping chickens shall receive approval from all abutting owners of their intent to keep chickens using the Department of Neighborhood and Environmental Programs Backyard Chicken Registry and Approval Form. Prior to keeping any chickens, said form shall be submitted to the Department of Neighborhood and Environmental Programs along with accompanying fees and approved inspection.

B. No person shall keep or maintain any animal within the City for the purpose of human consumption, except where the animal is maintained for the purpose of consumption as part of a religious observance.



To-Do Checklist

Complete and sign the Backyard Chicken Registry and Approval Form.

- In order to be considered for approval, thoroughly read the conditions and initial next to each.
- Don't forget to print and sign your name with the date at the bottom of the application.

Complete Backyard Chicken Registry Neighbor Approval Form as a part of your Backyard Chicken Registry and Approval Form.

- See "How to Find Abutting Properties" page.
- Note that this is a neighbor approval form. You will need the owner's signed consent that will allow you to have chickens.

Include a site plan with your completed Backyard Chicken Registry and Approval Form.

This must be done before you build your chicken coop

- Properties located within the Historic District require HPC approval. Please call the Historic Preservation Section at 410-263-7941 for information.

Submit all completed permit applications and paperwork along with the site plan and payment of \$55.00 for the registration and inspection fee. Checks are made payable to the City of Annapolis.

- Review Annapolis City Code 21.50 – Bulk Regulations Table for minimum setbacks in your residential zone. This can be found at <http://library.municode.com/index.aspx?clientId=16754&stateId=20&stateName=Maryland>
- The minimum setback allowable is 5 feet, but may be more. Please call Planning and Zoning at 410-263-7961 for assistance
- Please wait to hear back from us with your site plan approval.
- **THIS MUST HAVE SITE PLAN APPROVAL BEFORE YOU BUILD YOUR CHICKEN COOP**
- **DO NOT START CONSTRUCTION WITHOUT SITE PLAN APPROVAL OR YOU MAY HAVE TO MOVE YOUR COOP.**

Build your coop and enclosed run according to requirements outlined.

Review requirements for chicken coop and enclosed run. You must have an approved coop and run prior to having any chickens.

- See "Chicken Coop and Enclosure Requirements"
- Coops will have the same requirements as a shed. If you plan for a chicken coop that is larger than 120 square feet, the City requires for it to be constructed on foundations to code and bear on undisturbed earth. For more information, please contact the Department of Neighborhood and Environmental Programs at 410-263-7946.

Call for an inspection.

- **YOU MUST HAVE PASSED YOUR INSPECTION BEFORE YOU ARE PERMITTED TO HAVE CHICKENS ON YOUR PROPERTY.**

Register your chickens using the "Maryland Poultry Registration Form". Include a copy with your permit application.

- Find the form attached or at http://www.mda.state.md.us/animal_health/poultryreg/index.php

Do more research on chickens! Peruse the internet, take a class on raising chickens, and attend forums. A list of useful websites can be found on the "Useful Sources" page.





City of Annapolis

DEPARTMENT OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS

160 Duke of Gloucester Street, Room 202, Annapolis Maryland 21401

Annapolis (410) 263-7946 Fax (410) 263-9158 TDD (410) 263-7943

www.annapolis.gov

BACKYARD CHICKEN REGISTRY AND APPROVAL FORM

Property Owner Information

Name _____

Address _____

E-mail _____ Day phone _____

Applicant Information

Name _____

Address _____

E-mail _____ Day phone _____

****24-hour emergency contact name & phone number** _____

This is the number that will be called if we receive a complaint about the chickens on your property.

- _____(Initial Here) 1) I am aware that I must receive approval from all abutting owners using the Backyard Chicken Registry Neighbor Approval Form of my intent to keep chickens prior to keeping any chickens.
- _____(Initial Here) 2) I am aware that I must submit this form to the Department of Neighborhood and Environmental Programs, along with a \$55.00 registration and inspection fee, prior to keeping any chickens.
- _____(Initial Here) 3) I am aware that I must first receive approval from an inspector from the Department of Neighborhood and Environmental Programs for all requirements set forth in the Annapolis City Code and the Backyard Chicken Registry and Approval Form, prior to keeping any chickens.
- _____(Initial Here) 4) I am aware that chickens may require veterinary care if they are known or suspected to be sick or injured.
- _____(Initial Here) 5) I am aware of Anne Arundel County Article 12 Title 4-Animal Control and have reviewed the requirements therein.
- _____(Initial Here) 6) I am aware that I am responsible for keeping any and all chickens within the confines of my property at all times.
- _____(Initial Here) 7) I am aware that chickens shall be provided with daily food and water, free of visible contamination, which is of sufficient quantity and nutritive value. Food shall be stored in containers such that rodents are unable to access the contents.
- _____(Initial Here) 8) I am aware that I am responsible for any property maintenance violations related to keeping chickens.
- _____(Initial Here) 9) I am aware that I am required to manage, remove, dispose of or otherwise handle chicken manure in such a way that it does not cause pollution or environmental harm of any kind.

**CITY OF ANNAPOLIS
BACKYARD CHICKEN REGISTRY AND APPROVAL FORM
PAGE TWO OF TWO**

- ____(Initial Here) 10) I am aware that I am required to provide any and all chickens on my property a sturdy coop and an attached secure enclosure following these guidelines:
- a. The coop and secure enclosure shall be completely enclosed on all sides. A protective covering shall cover the top of the secure enclosure.
 - b. All openings including protective covering and doors shall be secured in such a manner as to prevent predator access.
 - c. The coop shall provide at least 2 square feet per chicken and the secure enclosure shall provide at least 10 square feet per chicken.
 - d. The coop and secure enclosure must be kept clean, free of all odors, and materials that can attract rodents or harbor manure borne pathogens.
- ____(Initial Here) 11) I am aware that if I make any dimensional changes to my chicken coop and/or chicken run, I must reapply with the Backyard Chicken Registry and Approval Form including fees and neighbor approval.
- ____(Initial Here) 12) I am aware that I shall conform to any registration requirements of the Maryland Department of Agriculture including the Poultry Registration. The form can be found at http://www.mda.state.md.us/pdf/poultry_registration.pdf
- ____(Initial Here) 13) I am aware that I am subject to random unannounced inspection upon the issuance of this permit.
- ____(Initial Here) 14) I am aware that a completed Backyard Chicken Registry Neighbor Approval Form signed by all of my abutting neighbors is required to be submitted with this application.
- ____(Initial Here) 15) I am aware that permit approval from the City does not override a Home Owners Association approval.
- ____(Initial Here) 16) Annapolis City Code Section 8.04.010 allowing chickens will be deemed abrogated in three years if there is no action from the Annapolis City Council and stricken from the code. I understand that unless the Annapolis City Council re-instates section 8.04.010, I will no longer be allowed to keep chickens within City limits after this three year period, April 9, 2015.
- ____(Initial Here) 17) I am aware that any uncorrected violation to conditions contained herein may result in the revocation of my permit.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and attachment, and that based on my inquiry of those individuals immediately responsible for obtaining the information herein, I believe the submitted information is true, accurate, and complete.

Printed Name: _____ Signature _____

Date _____

FOR CITY USE ONLY

Permit Fee: \$55 Paid _____

Maximum number of chickens allowed (circle): 1 2 3 4 5

DNEP FINAL APPROVAL _____ DATE _____

PERMIT NUMBER _____

EXPIRATION DATE: APRIL 9, 2015



City of Annapolis

DEPARTMENT OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS

160 Duke of Gloucester Street, Room 202, Annapolis Maryland 21401

Annapolis (410) 263-7946 Fax (410) 263-9158 TDD (410) 263-7943

www.annapolis.gov

BACKYARD CHICKEN REGISTRY NEIGHBOR APPROVAL FORM

Annapolis City Code Section 8.04 requires that any property owner proposing to keep chickens shall receive **approval** from any property owner abutting the property of the proposed chicken enclosure of his/her intentions and obtain their signatures attesting they are aware of the proposition.

Applicant Name: _____

Site Address: _____

Attach signed copy of the Backyard Chicken Registry and Approval Form

Attached are the site plan specifications to keep chickens at the site address listed above. I/We, being the abutting property owner(s), have no objections to the above named property owner keeping chickens in accordance with Annapolis City Code.

Abutting Property Owner Name and Signature	Address	Date

If you are not the property owner, you must have signed approval from the property owner

Property Owner Name and Signature	Current Address	Phone Number	Date

Useful Sources

Please visit the websites and read documents listed below for more information on keeping backyard chickens:

- **Maryland Poultry Premises Registration** by Maryland Department of Agriculture
http://www.mda.state.md.us/animal_health/poultryreg/index.php
http://www.mda.state.md.us/pdf/poultry_registration.pdf
- **Raising Your Home Chicken Flock** by University of Maryland Extension.
<http://www.healthybirds.umd.edu>
- **BackyardChickens.com** www.backyardchickens.com
- **TheCityChicken.com** www.thecitychicken.com
- **MyPetChicken.com** www.mypetchicken.com

Adopting Chickens

- **Cheryl's Rescue Ranch** in Odenton, MD 240-882-7963
- **Poplar Spring Sanctuary** in Poolesville, MD 301-428-8128
- **Petfinder.com** http://www.petfinder.com/pet-search?pet_breed=Chicken&animal_type=Bird&location=Annapolis%2C+MD
 - Look for Female chickens only.
- **Adoptapet.com** <http://www.adoptapet.com/other-pet-adoption#bird>
 - Look for Female chickens only.



Maryland Department of Agriculture
Mandatory Poultry Registration
As of January 2010, over 3400 flocks have been registered

Why a poultry registration program? This program helps protect the Maryland domestic poultry industries from the spread of diseases such as avian influenza.

Who needs to register? All individuals involved in keeping or caring for all types of poultry and any number of birds, which would include: Small households, all forms of live poultry production, production facilities/farms, suppliers, dealers, haulers, wholesalers, live bird markets, and participants in MD's fairs and shows. By definition poultry includes: Chickens, turkeys, ratites, waterfowl, game birds and domestic/captive pigeons.

Who is exempt from registration? Registration is not required if five (5) or less birds are housed for less than 120 days in a 12 month period. Exempt premises may not have other poultry on the property. Poultry can not be moved from the exempt premises, participate in shows or be sold. Examples of exempt poultry: Easter chicks, school or 4-H broiler projects and certain pets.

Who is already registered in the program? 1. Contract poultry growers have been registered by their poultry company. 2. Layer flocks enrolled in the MDA Egg Law program and MDA certified flocks have been registered by MDA.

Exotic Bird registration is voluntary and is not mandatory. However, if your birds are associated with high risk activities, registration is recommended. High-risk activities include: showing, trading, breeding, multiple bird households and activities which involve commingling with poultry or other birds.

§3-101 Registration Confidentiality: Public Information Notice: The Department of Agriculture shall maintain the information provided in this form in a manner that protects your identity. The Secretary of Agriculture, however, may disclose identifying information if he determines, after consulting with the Secretary of Health and Mental Hygiene, that such disclosure is necessary to protect the public health or prevent the spread of an infectious or contagious disease.

QUESTIONS on the Poultry Registration Program: Call 410-841-5810

Check the MDA website: www.mda.state.md.us/animal_health for additional information on other Poultry Registration.

To prepare for mailing, please fold here and seal lower edge with tape or staple

From:

STAMP

Maryland Poultry Registration
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, MD 21401



Maryland Poultry REGISTRATION FORM

Registration is **MANDATORY** by authority of:
Agric. Art., Section § 3-804.
Annotated Code of Maryland



(Please print all information)

Poultry Caretaker's Name: _____

Phone: () - _____ **Cell:** () - _____ **E-mail:** _____

Mailing Address: _____

Physical Address: (If PO Box is used): _____

City: _____ **State:** _____ **Zip:** _____ - _____ **County:** _____

Number of locations to register: _____ (Please register each location separately)

Address of kept birds: (If different than prior address): _____

City: _____ **State:** _____ **Zip:** _____ - _____ **County:** _____

Domestic Poultry: (Check ALL that apply, include the number of birds maintained during the last 12 months)

- | | |
|--|--|
| ☐ Chickens # _____ | ☐ Game Birds (chucker's, pheasants, quails) # _____ |
| ☐ Ratites (ostriches, emus) # _____ | ☐ Turkeys # _____ |
| ☐ Waterfowl (ducks, geese, swans) # _____ | ☐ Pigeons or Doves: # _____ |
| ☐ A pond is located on the _____ | ☐ A body of water is located near this property _____ |

Exotic Birds: (Registration of Exotic Birds is voluntary)

_____ # _____ # _____ # _____

(Check ALL that apply)

Purpose of flock: ☐ Auction ☐ Contracted ☐ Hobby/Pet ☐ Live bird Slaughter/Market
☐ Own Consumption ☐ Show/Competition ☐ Other: _____

What were the sources for the birds ☐ Auction ☐ Commercial ☐ Mail Order
☐ Neighbor ☐ Retail ☐ Self-Raised ☐ Other: _____

National Poultry Improvement Program certified? ☐ No ☐ Yes # _____

☐ I would like to register this property in the National Animal Identification System (NAIS).

Completed by: _____ (signature) **Date:** _____

Questions: 410-841-5810 (phone), 410-841-5999 (fax), animalhealth@mda.state.md.us (e-mail)

Return form to: MD Dept. of Agriculture Poultry Registration, 50 Harry S. Truman Pkwy, Annapolis, MD 21401
MDA E-14 (Rev. 2/10)



Soil in Garden Area showing rich black soil



How common manures measure up

Manure	Chicken	Diary cow	Horse	Steer	Rabbit	Sheep
N-P-K	1.1 .80 .50	.25 .15 .25	.70 .30 .60	.70 .30 .40	2.4 1.4 .60	.70.30 .90

Sources: *Rodale's All-New Encyclopedia of Organic Gardening*, *An Illustrated Guide to Organic Gardening*, by Sunset Publishing, and the *Rodale Guide to Composting*.

Note: Nutrient values of manures vary greatly, depending on the diet and age of the animals, and the nature and quantity of bedding in the mix.



Chicken egg farm

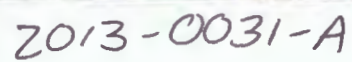
Information on Putting Chicken Manure on Vegetable Gardens

by Roz Calvert EHow contributor

A chicken produces about 4 oz. of manure per day, says Jane Billingham, a Certified Master Gardener at Washington State University's Skagit County Extension. The typical vegetable garden needs 45 pounds of composted chicken manure and chicken litter or more annually for each 100 square feet. Chicken manure is one of the most ideal animal manures that vegetable gardeners use to enrich soil in the garden.

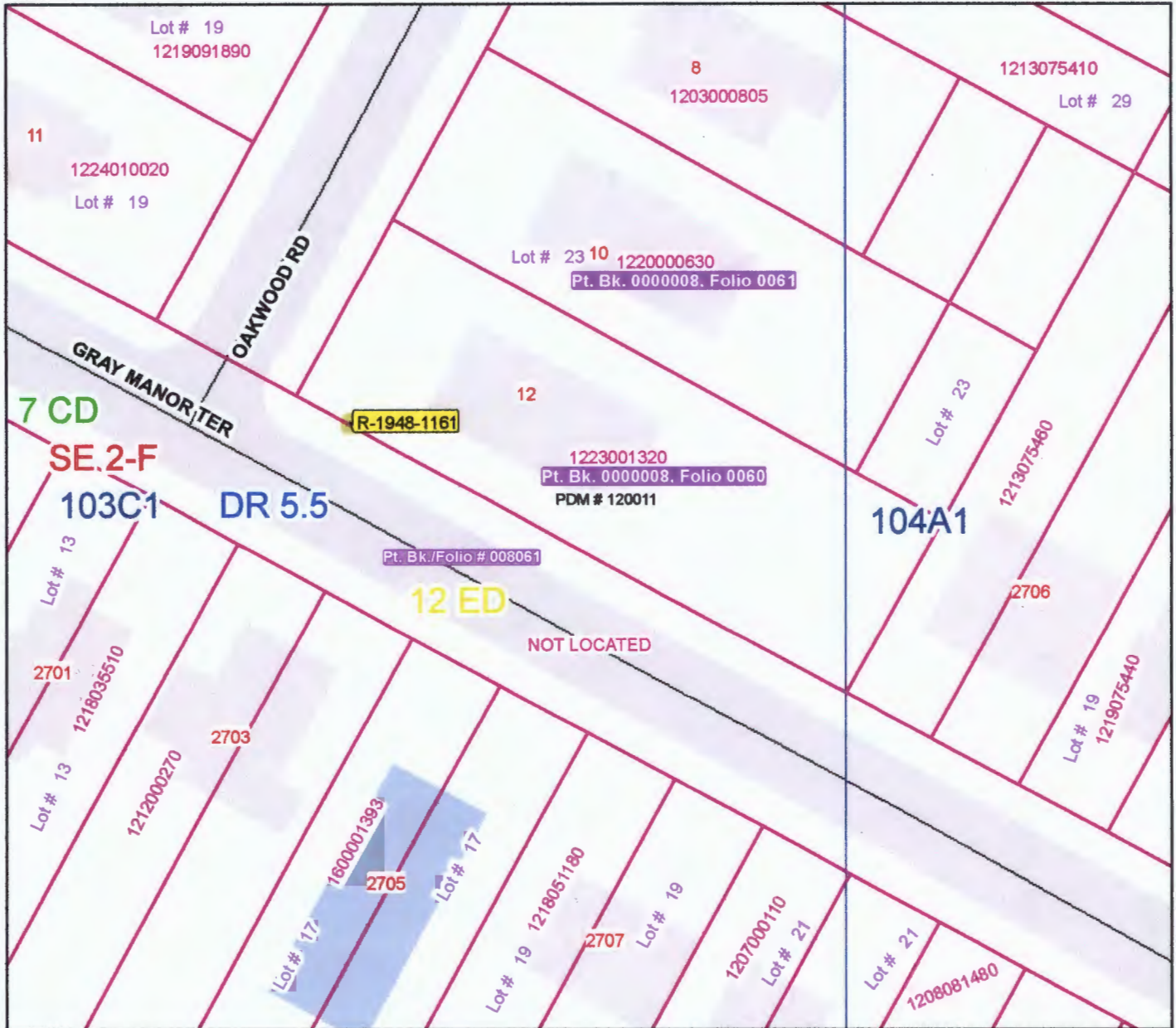
Read more: [Information on Putting Chicken Manure on Vegetable Gardens | eHow.com](http://www.ehow.com/info_7931529_information-chicken-manure-vegetable-gardens.html#ixzz28wc2CNdA)
http://www.ehow.com/info_7931529_information-chicken-manure-vegetable-gardens.html#ixzz28wc2CNdA

Zoning is the process of planning for land use by a locality to allocate certain kinds of structures in certain areas. Zoning also includes restrictions in different zoning areas, such as height of buildings, use of green space, density (number of structures in a certain area), use of lots, and types of businesses. By about.com



2013-0031-A

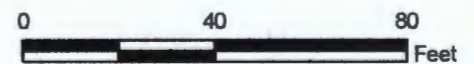
12 Oakwood Road



2013-0031-A

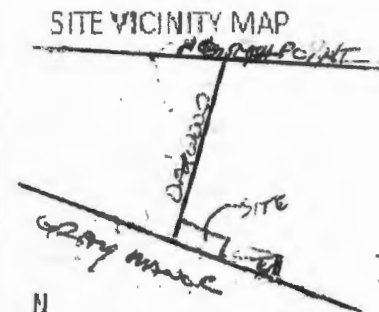


Publication Date: August 06, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



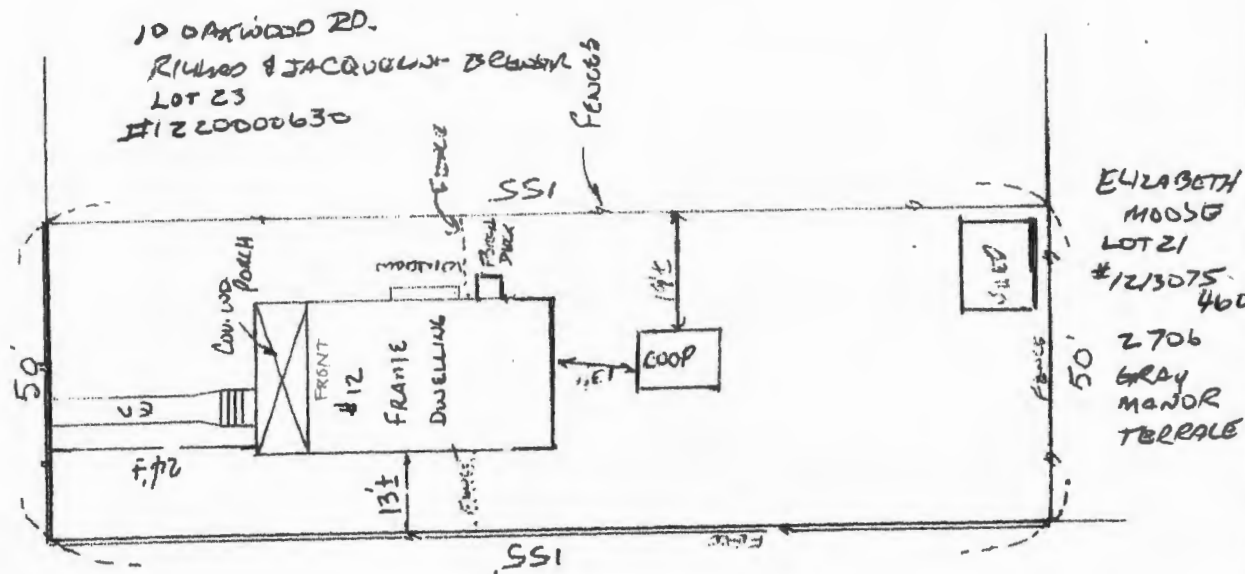
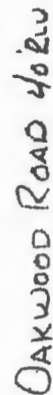
1 inch = 40 feet

PLAT BOOK # 0008 FOLIO # 220-4 10 DIGIT TAX # 1223401320 DEED REF. # 22577/0436



MAP IS NOT TO SCALE

DAVID GAINES



Gray Manor Terrace 40'w



2013-0031-A

PLAN DRAWN BY STEPHEN LUCKITT DATE 8/5/12 SCALE: 1 INCH = 30' FEET

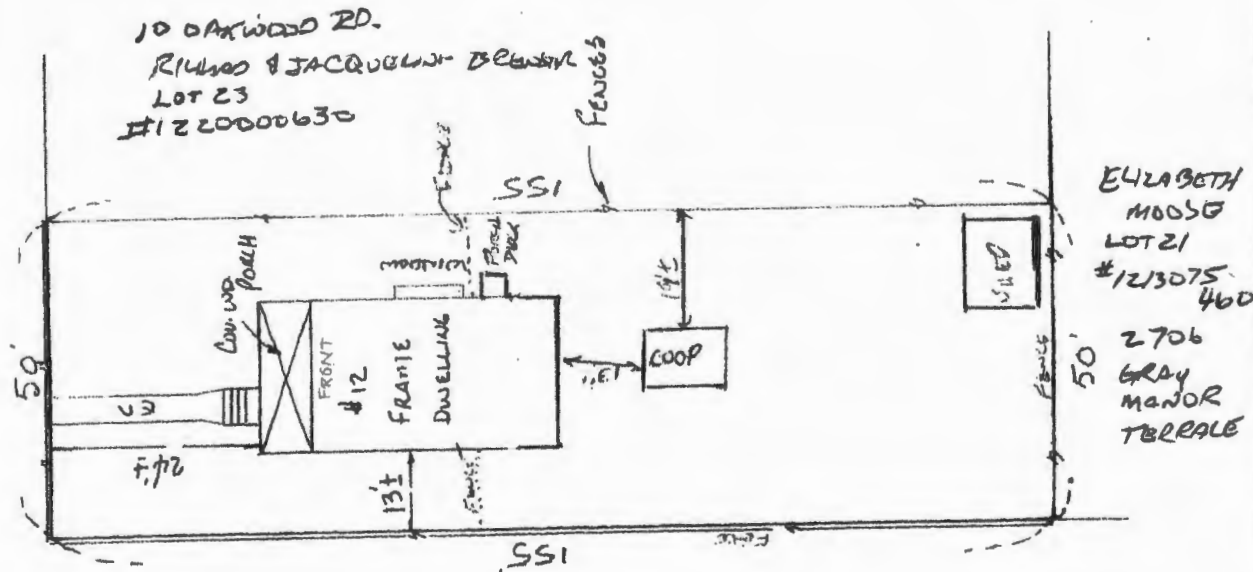
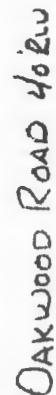
PROP - E 1948-1161

VIOLATION CASE INFO:

115124

DAVID GAINE

PLAT BOOK # 0008 FOLIO # 200-6 10 DIGIT TAX # 1223001320 DEED REF. # 22577/0436



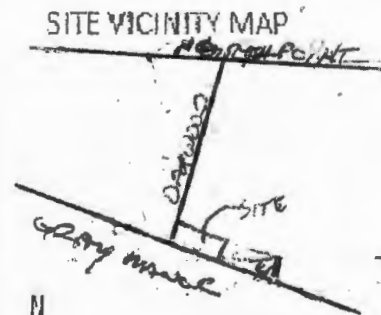
Gray Manor Terrace 40'w

PETITIONER' S

EXHIBIT NO.

2013-0031-A

PLAN DRAWN BY STEPHEN LUCKITT DATE 8/5/12 SCALE: 1 INCH = 30' FEET



F

MAP IS NOT TO SCALE

ZONING MAP# 10361

SITE ZONED DR-5.5

ELECTION DISTRICT 12

COUNCIL DISTRICT 7

LOT AREA ACREAGE .175

OR SQUARE FEET 7,400

HISTORIC? *ND*

IN CBCA? *NO*

IN FLOOD PLAIN? *NO*

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE

SEWER IS:

PUBLIC ~~X~~ PRIVATE

PRIOR HEARING? **NO**

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

Prop - R 1948-1161

VIOLATION CASE INFO:

115124

DAVID GAINES