

IN RE: PETITION FOR VARIANCE

(11521 Long Green Pike)

11th Election District

3rd Council District

Walter & Christina Serio

Legal Owners

Petitioners

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0158-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Walter & Christina Serio, owners of the subject property ("Petitioners"). The Petitioners are requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) to permit chickens to be kept on a property that is 0.607 acres in lieu of the minimum required 1 acre of property. A site plan was marked as Petitioners' Exhibit 1.

Christina Serio appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request, but provided suggested conditions for inclusion in the final order.

The property is approximately 0.607 acres and is zoned RC-2. The property is improved with a single-family dwelling and is located in the Glen Arm area of Baltimore County. Petitioners purchased the property in 2014, and have for the last two years kept 10 chickens (hens) in their rear yard. An anonymous complaint was filed with the Code Enforcement bureau and Petitioners were instructed to file a variance petition.

A variance request involves a two-step process, summarized as follows:

ORDER RECEIVED FOR FILING

Date 2-3-17

By Sen

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. The property has a trapezoidal shape and is one of the smallest lots in the community. As such it is unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to keep the chickens they have had for nearly two years. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition. In fact, Petitioners submitted letters (Exhibit 3) signed by every neighbor in the vicinity, and photos reflect the chicken coop is well constructed, clean and attractive. Exhibit 2. As such, granting the request will have no detrimental impact upon the community.

Based on the testimony and photos I believe Petitioners have satisfied nearly all of the comments set forth by the DOP. The chickens have more than ample yard space, and the coop is located along the rear property line, well removed from Long Green Pike and neighbors' homes. As noted above, the coop and yard are clean and well maintained, so I do not believe there will be an issue with rodents and pests. The only unresolved comment concerns the number of chickens kept on the property. The DOP suggested Petitioners be limited to 6 hens. While I agree this would be a reasonable limitation for a single-family dwelling in a suburban setting, the Petitioners' property is zoned R.C. 2 and is in a rural portion of the County. As such, I believe 10 is an appropriate restriction, which will be included in the order below.

ORDER RECEIVED FOR FILING

Date 2/3/17
By Sen

THEREFORE, IT IS ORDERED, this 3rd day of **February, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit chickens to be kept on a property that is 0.607 acres in lieu of the minimum required 1 acre of property, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners shall keep no more than ten (10) chickens on the property.
2. No roosters may be kept on the property.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 2/3/17
By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

February 3, 2017

Walter & Christina Serio
11521 Long Green Pike
Glen Arm, Maryland 21057

RE: Petition for Variance
Case No. 2017-0158-A
Property: 11521 Long Green Pike

Dear Mr. & Mrs. Serio:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



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 11521 Long Green Pike which is presently zoned RC2
Deed References: 35523-007 10 Digit Tax Account # 1 1 0 8 0 0 4 7 9 0
Property Owner(s) Printed Name(s) Walter Serio jr Christina Serio

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

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

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

BCZR: 100.6 → To permit chickens to be kept on a property that is 0.607 acres in lieu of the minimum required 1 acre of property.

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):

Walter Serio Jr

Christina Serio

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

11521 Long Green Glen Arm Md

Mailing Address City State

21057 / 443-829-3094 / ckirkla1@jhmi.edu

Zip Code Telephone # Email Address

Representative to be contacted:

Christina Serio

Name - Type or Print

Signature

11521 Long Green Pike Glen Arm Md

Mailing Address City State

21057 / 443-829-3094 / ckirkla1@jhmi.edu

Zip Code Telephone # Email Address

CASE NUMBER 2017-0158-A Filing Date 12/12/16 Do Not Schedule Dates: Reviewer JS

№ 144027

Date:

[illegible]

Total: \$75.00

Rec
From: SERIO

For: 007-018-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS	ACTUAL	TIME	ERM
2/12/2016	12/12/2016	10:51:03	2

REG 4902 WALKIN JEE

>>RECEIPT # 992973 12/12/2016 GFLN

Dept 5 528 ZENING VERIFICATION

CR NO. 144027

Receipt Tot \$75.00

\$75.00 CR \$4.00 CA

Baltimore County, Maryland

**CASHIER'S
VALIDATION**

ZONING DESCRIPTION
#11521 LONG GREEN PIKE

BEGINNING for the same at a point on the northeast side of Long Green Pike, at the distance of 333.71 feet $\pm$ southeast of the centerline of Wallace Drive, as shown on the plat of Section One "Greenwood Manor" as recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 20 folio 20, thence binding on said northeast side of said Long Green Pike **(1) North 57 degrees 30 minutes West 100 feet** thence leaving said Long Green Pike and running the three following courses and distances: **(2) North 32 degrees 30 minutes East 208.71 feet (3) South 57 degrees 30 minutes East 153.52 feet and (4) South 46 degrees 53 minutes West 215.16 feet** to the place of beginning.

CONTAINING 26,456 square feet or 0.607 acres of land, more or less.

ALSO KNOWN AS #11521 Long Green Pike Pike and located in the 11th Election District, 3rd Councilmanic District.

BEING all of that parcel of land which by deed dated October 17, 2014 and recorded among the Land Records of Baltimore County in Liber J.L.E. No. 35523 folio 007 etc. was conveyed by Paul Habicht and Virginia Habicht to Christina Serio and Walter Serio Jr.

Note: above description is for zoning purposes only.

2017-0158-A

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2017-0158-A

Property Address: 11521 Long Green Pike Glen Arm Md 21057

Property Description: _____

Legal Owners (Petitioners): Walter Serio Jr & Christina Serio

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Christina Serio

Company/Firm (if applicable): _____

Address: 11521 Long Green Pike Glen Arm Md 21057

Telephone Number: 443-829-3094



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4705672

Sold To:

Christina Serio - CU00579670
11521 Long Green Pike
Glen Arm, MD 21057-9209

Bill To:

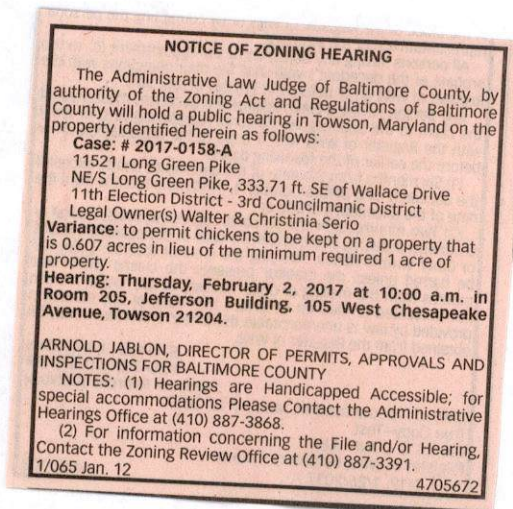
Christina Serio - CU00579670
11521 Long Green Pike
Glen Arm, MD 21057-9209

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jan 12, 2017

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising



CERTIFICATE OF POSTING

Date: 1-11-17

RE: Case Number: 2017-0158-A

Petitioner/Developer: Christina Serice

Date of Hearing/Closing: Feb 2, 2017 10AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 11521 Long Green Pike

The signs(s) were posted on 1-11-17
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2017-0158-A

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

JEFFERSON BLDG, ROOM 205
PLACE: 1135 W. CHEESAPEAKE AVE. TOWSON, MD 21204

DATE AND TIME: THURS FEB 2, 2017 10 AM

REQUEST: VARIANCE TO PERMIT CHICKENS
TO BE KEPT ON A PROPERTY THAT IS
0.607 ACRES IN LIEU OF THE MINIMUM
REQUIRED 1 ACRE OF PROPERTY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3991

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

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 12, 2017 Issue - Jeffersonian

Please forward billing to:
Christina Serio
11521 Long Green Pike
Glen Arm, MD 21057

443-829-3094

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: 2017-0158-A

11521 Long Green Pike
NE/S Long Green Pike, 333.71 ft. SE of Wallace Drive
11th Election District – 3rd Councilmanic District
Legal Owners: Walter & Christinia Serio

Variance to permit chickens to be kept on a property that is 0.607 acres in lieu of the minimum required 1 acre of property.

Hearing: Thursday, February 2, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

January 9, 2017

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: 2017-0158-A

11521 Long Green Pike
NE/S Long Green Pike, 333.71 ft. SE of Wallace Drive
11th Election District – 3rd Councilmanic District
Legal Owners: Walter & Christinia Serio

Variance to permit chickens to be kept on a property that is 0.607 acres in lieu of the minimum required 1 acre of property.

Hearing: Thursday, February 2, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Serio, 11521 Long Green Pike, Glen Arm 21057

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 13, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

January 25, 2017

Walter & Christina Serio Jr.
11521 Long Green Pike
Glen Arm MD 21057

RE: Case Number: 2017-0158 A, Address: 11521 Long Green Pike

Dear Mr. & Ms. Serio:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 12, 2016. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 12/19/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0158-A

*Variance
Walter & Christina Serio
11521 Long Green Pike.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Zeller'.

Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: December 21, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0158-A
Address 11521 Long Green Pike
(Serio Property)

Zoning Advisory Committee Meeting of **December 26, 2016.**

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

Reviewer: Steve Ford

Date: 12-21-2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 26, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For December 26, 2016
Item No. 2017-0148, 0156, 0157, 0158, 0160, 0162 and 0164

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

DAK:CEN

cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC12262016.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/25/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-158



INFORMATION:

Property Address: 11521 Long Green Pike
Petitioner: Walter Serio, Jr., Christina Serio
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit chickens on a residential property of less than one acre.

A site visit was conducted on December 22, 2016.

In response to County Council Resolution 73-13, Department staff has developed specific recommendations on the keeping of fowl or poultry. Subsequent to a public hearing on the matter, these recommendations received the approval of the Baltimore County Planning Board who then favorably referred them back to the Baltimore County Council. As of the date of these comments, Council has not acted upon those recommendations. That notwithstanding, the Department holds that the said recommendations are prudent and would serve to have a positive effect in the instant case by ensuring proper conditions for raising healthy chickens and mitigating the potential negative impacts on public health.

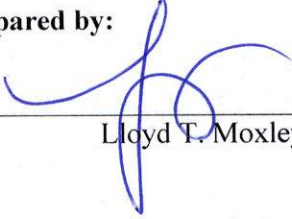
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The total number of fowl to be kept on-site shall be limited to six hens.
- The hens shall be housed in a well-ventilated coop having walls and a roof providing a minimum of 3 square feet per hen located in the rear yard only and occupying not more than 40% thereof. The coop shall have an outdoor run that is adequately fenced, providing at least 4 square feet per hen.
- The floor elevation of the coop shall be a minimum of 8 inches above grade to prevent access by rodents with a total height of the structure limited to 8 feet.
- The coop and associated outdoor run shall be located at an appropriate setback from a neighboring residence, as deemed necessary by the Hearing Officer.
- Coops and outdoor runs must be kept clean, dry and free of all offensive odors and materials that may attract rodents, insects and other pests.

Date: 1/25/2017
Subject: ZAC #17-158
Page 2

For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Christina Serio
Office of the Administrative Hearings
People's Counsel for Baltimore County

MEMORANDUM

DATE: March 7, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0158-A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 6, 2017. 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/25/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-158

INFORMATION:

Property Address: 11521 Long Green Pike
Petitioner: Walter Serio, Jr., Christina Serio
Zoning: RC 2
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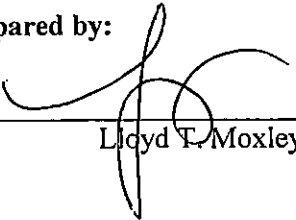
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Date: 1/25/2017
Subject: ZAC #17-158
Page 2

For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd F. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Christina Serio
Office of the Administrative Hearings
People's Counsel for Baltimore County

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
11521 Long Green Pike; NE/S Long Green Pike, *
333.71' SE of c/line Wallace Drive * OF ADMINISTRATIVE
11th Election & 3rd Councilmanic Districts *
Legal Owner(s): Walter & Christina Serio * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2017-158-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
DEC 22 2016

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 22nd day of December, 2016, a copy of the foregoing Entry of Appearance was mailed to Walter & Christina Serio, 11521 Long Green Pike, Glen Arm, Maryland 21057, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Permits, Approvals, and Inspections
 Code Inspections & Enforcement
 County Office Building, Rm. 213
 111 West Chesapeake Ave
 Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement 410-887-3351
 Electrical Inspection 410-887-3960
 Plumbing Inspection 410-887-3620
 Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

SERIO CHRISTINA SERIO WALTER JR
 11521 LONG GREEN PIKE
 GLEN ARM, MD 21057

CASE NUMBER CC1613471	PROP. TAX ID 1108004790
VIOLATION ADDRESS 11521 LONG GREEN PIKE GLEN ARM, MD 21057-9211	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
Other Violation(s)	BCZR 100.6 Housing and Stabling of Animals: A minimum of 1 acre required in order to have foul or poultry Not enough acreage, remove all foul

Failure to comply with this correction notice, may result in a **\$200.00** fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 12/17/2016	INSPECTOR NAME: Christina Frink
	ISSUED DATE: 11/17/2016

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- It is important that you read this document carefully, as it charges you with the commission of a crime.
- If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
- If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
- A lawyer can give important assistance to you:
 - on how to correct the violation(s) in order to avoid trial or
 - at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
- A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
- It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
- Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 11 Account Number - 1108004790							
Owner Information									
Owner Name:		SERIO CHRISTINA SERIO WALTER JR			Use:		RESIDENTIAL		
Mailing Address:		11521 LONG GREEN PIKE GLEN ARM MD 21057-			Principal Residence:		YES		
					Deed Reference:		/35523/ 00007		
Location & Structure Information									
Premises Address:		11521 LONG GREEN PIKE GLEN ARM 21057-			Legal Description:		.607 AC 11521 LONG GREEN PIKE 244FT SE OF WALLACE DR		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0062	0006	0296		0000				2015	Plat Ref: 0020/0020
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use
1957		2,050 SF					26,440 SF		04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1	YES	STANDARD UNIT	SIDING	1 full	1 Detached				
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of 01/01/2015	As of 07/01/2016		As of 07/01/2017		
Land:			105,600	105,600					
Improvements			142,100	180,800					
Total:			247,700	286,400	273,500		286,400		
Preferential Land:			0				0		
Transfer Information									
Seller: HABICHT PAUL				Date: 10/31/2014		Price: \$285,000			
Type: ARMS LENGTH IMPROVED				Deed1: /35523/ 00007		Deed2:			
Seller: HABICHT PAUL				Date: 11/29/2005		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /22965/ 00428		Deed2:			
Seller: RUFFENACHT GEORGE E				Date: 06/05/1964		Price: \$18,000			
Type: ARMS LENGTH IMPROVED				Deed1: /04308/ 00302		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class			07/01/2016		07/01/2017		
County:		000			0.00				
State:		000			0.00				
Municipal:		000			0.00 0.00		0.00 0.00		
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					
Homestead Application Information									
Homestead Application Status: Approved 12/23/2014									

2/2/2017

Case No.: 2017-0158-A

Exhibit Sheet

Petitioner/Developer

Protestant

3-17-17
DW

sln
2-3-17

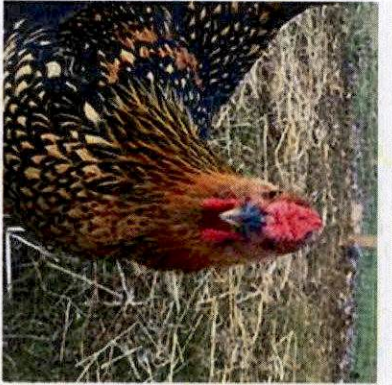
No. 1	Plan	
No. 2	Photos	
No. 3	Letters of Support from Neighbors	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Plucky was special
vents

EX.2

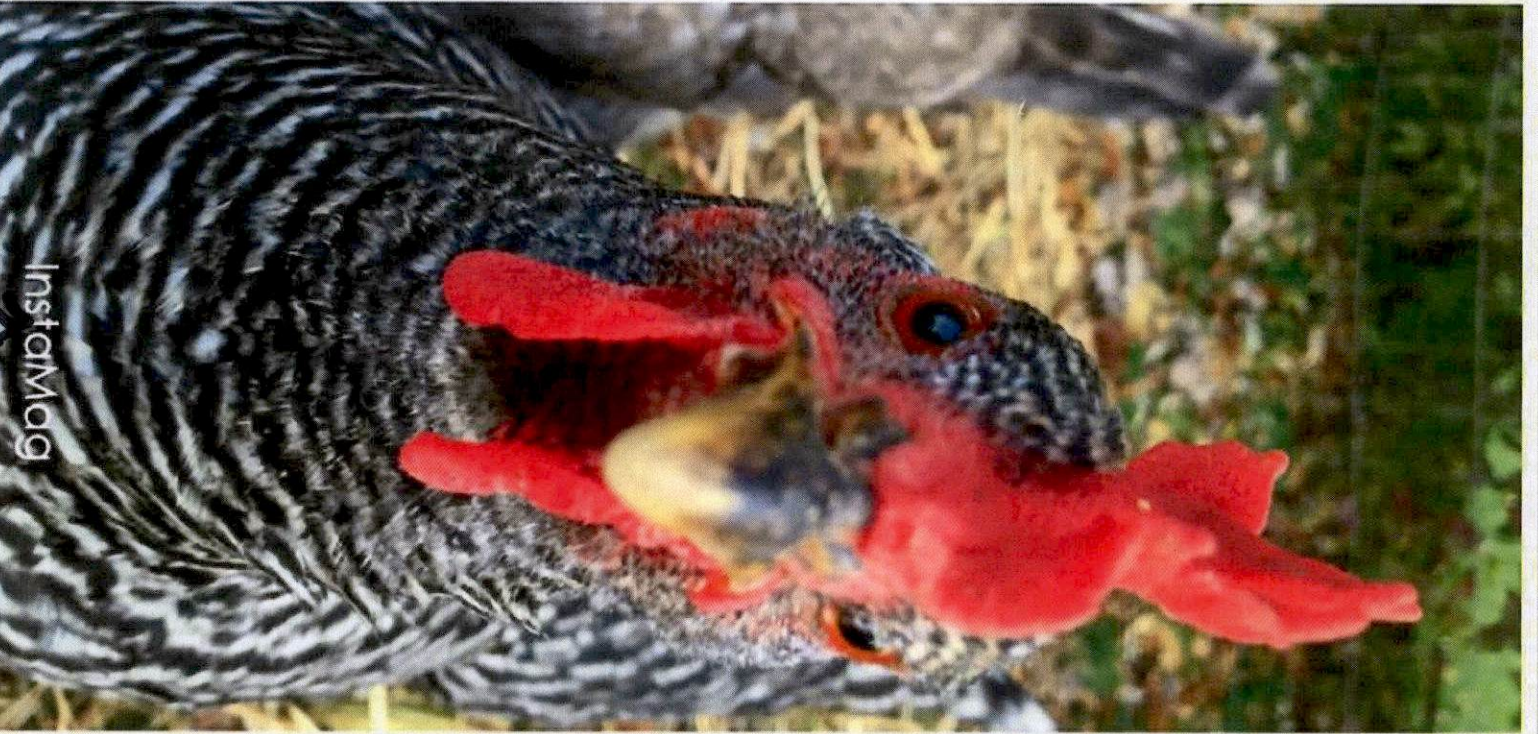
Abigail →



Cecilia →



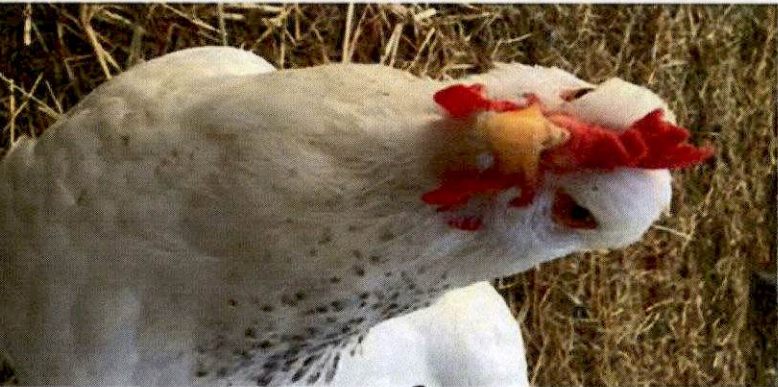
Lucy →



Judi ←



Paul ←



Pam →



ibid.

ibid.

ibid.

ibid.

ibid.

ibid.

ibid.



Betty ↓

Abigail ↑

Ethel ↓

Cealia ↓

Boily &

Boily &
7

Boily &
7

Boily &
7

Plucky →

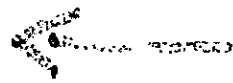


BY ALBURY





Droppings board
removed daily for
cleaning. All droppings
are composted.



loneal equigero
at pino lano
equigero II A . pino
loneal lano



27
Dinner
1000



Clean Water

Clean Feed

JM EAGLE

PS @ TFE ASTM D2005 ASTM D1785 NSF @ pw-g-4 U.P. Code JM90 ME 2014 Nov 08 11 2



1



Dear Zoning Commissioner,

I am in the process of applying for a variance at my home at 11521 Long Green Pike in Glen Arm, Maryland. On 17 November 2016, my husband and I received a code enforcement violation regarding having fowl on less than 1 acre of land. Our property is .607 acres, most of it an expansive well-maintained backyard with trees and gardens.

We moved into our home in October of 2014. We were so excited to finally be able to have enough property to have a garden and raise some chickens. We spent almost 2 years looking for the right property we could afford until we found the perfect place. The wonderful thing about our home is we are surrounded by farmers in an area that is zoned agricultural. We contacted all of our adjoining neighbors asking if they had any concerns with us keeping a small flock of egg-laying hens in the back of our property. No one objected and they have all signed the attached petition.

We invested over \$3,000 in a coop, fencing, lighting, watering, and heating. We hand raised them from hatchlings and they quickly became part of our family. We love them so much—the possibility of losing them over such an insignificant amount of acreage is unimaginable. We not only have them as our pets, but we eat their eggs and all of their manure is composted for our gardens. In the spring, the “ladies” help me get the gardens ready for planting. They are right by my side digging and scratching for worms and goodies. All summer long they help me weed and look for bugs on my garden plants. They have become integral parts of my day, every day, coming to me when I call them by name and sitting in my lap for petting and feather ruffling. I even have “chicken sitters” stay at our home when we are on vacation.

We also have two rescued cats that go outside on leashes and hang out with the ladies. We truly are one big happy family and to break this family up would be devastating. Please review the attached photographs, letters, and witness statements and grant our variance so our flock can live out their lives with us.

Sincerely,



Christina Serio

EX.3



Davida G. Breier
No Voice Unheard
11523 Long Green Pike
Glen Arm, MD 21057
443-528-5340
Davida@novoiceunheard.org

November 18, 2016

W. Carl Richards Jr., Chief
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Dear Chief Richards,

It is my understanding that Christina and Tony Serio are applying for a variance to keep chickens on their property, located at 11521 Long Green Pike, Glen Arm, MD 21057. I am both their neighbor and a board member for the animal advocacy group No Voice Unheard. The Serios provide exceptional care for their birds and I am in full support of the variance. The birds are well fed, housed, and protected and Christina's medical knowledge means the birds are quite healthy. Through my work with No Voice Unheard, I am unfortunately knowledgeable about what unhealthy and uncared for birds look like and I can say with absolutely certainty, the Serio's birds receive outstanding care. They are family members. Additionally, their property is immaculately maintained. Their lot is large and there is more than enough space for the birds.

I hope you will approve their application and that Ethel, Judi, Pearl, Plucky, Cecilia, Annie, Betty, Diana, Abigail, Lucy, remain my neighbors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Davida Breier', with a long, sweeping horizontal line extending to the right.

Davida G. Breier

Lamar Prasch
3205 Longwood Court
Jarrettsville, MD 21084
443-802-3684
lwp4912@msn.com

November 23, 2016

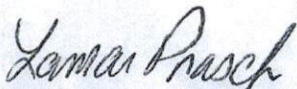
W. Carl Richards Jr., Chief
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Dear Chief Richards:

I understand that Christina and Tony Serio are applying for a variance to continue to keep chickens on their property, which is at 11521 Long Green Pike Glen Arm, MD 21057. I have known Christina for 25 years and Tony for 3 years. The Serio's are extremely responsible animal owners and provide exceptional care for their chickens. The chickens are very well fed, housed, and cared for in a clean, organized environment. No better, more caring, animal owners would be found. The birds are truly family members and exceptionally well cared for. There have a large, fenced in lot and the grounds are extremely well cared for. The birds have a private and safe enclosed area filled with clean food, water, and objects to occupy their time. I am in full support of the variance.

I hope you will approve their application so they may all continue to stay together.

Sincerely,

A handwritten signature in cursive script that reads "Lamar Prasch".

Lamar Prasch

November 22, 2016

Chief W. Carl Richards, Jr.
County Office Building
111 Wests Chesapeake Avenue, Room 111
Towson, MD 21204

Dear Chief Richards,

This letter pleads the case of the Serios—Tina, Tony, Lucy, Ethel, Judi, Diane, Pearl, Abigail, Cecilia, Betty and Diana—a special family composed of a wife and husband and their 10 chickens. The Serios are applying for a variance to keep their chickens on their .85-acre lot located at 1506 Long Green Pike, Glen Arm, MD 21057.

The Serio chickens lead happy, healthy, quiet, egg-producing lives in a custom chicken coop at the back of their well-maintained property. Each one of the “girls” has a unique personality and a loving bond with Tina and Tony. They are truly pets who come when they are called, love to be held and petted, and bring joy (as well as delicious eggs) to family, friends, and neighbors.

Please approve their variance application. Do not break up this happy family.

Sincerely,

A handwritten signature in black ink, appearing to read 'Judi Schmitt', with a stylized, flowing script.

Judi Schmitt
1506 Criterion Dr.
Odenton, MD 21113

November 29, 2016

Jennifer Glose
6 Meridian Lane
Towson, MD 21286
410-935-7641
jenniglose@verizon.net

Chief W. Carl Richards, Jr.
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Dear Chief Richards,

I am writing on behalf of Tony and Christina (Tina) Serio of 11521 Long Green Pike, Glen Arm, MD 21057 regarding their application for a variance to allow them to keep their chickens on their property.

Their brood of ^{Ten}nine chickens, each a different breed and each with a thoughtful and unique name are as loved and well taken care of as you would expect of any family pet. The "ladies" or "girls" as they are fondly referred to live happily in a beautiful purple chicken coop with a custom-made feeding/watering system and outdoor extension designed and built by Tony Serio. In fact recently, Tony built a warming box so the girls have a warm spot to be in the winter time. Tina has done extensive research on the caring and feeding of chickens. She spends time tending to them each day, holding and bonding with them to be sure they are healthy. The chickens are well fed and in fact eat healthier than many people.

Having lived in the city for years prior to moving to their home in Baltimore County, Tony and Tina are keenly aware of neighbors and the issues of living with people in close proximity. They have more space in Glen Arm, but are still aware and extraordinarily conscientious of anything that might bother those living around them. They have a beautiful home. This past summer their backyard flourished with magnificent gardens of fruits, vegetables and flowers.

The Serio's chickens do nothing but add warmth and happiness to the wonderful home Tina and Tony have made in Baltimore County over the past two years. I encourage you to allow this variance so they will be able to keep their much-loved chickens on their property. I am certain you will not regret the decision.

Sincerely,



Jennifer Glose

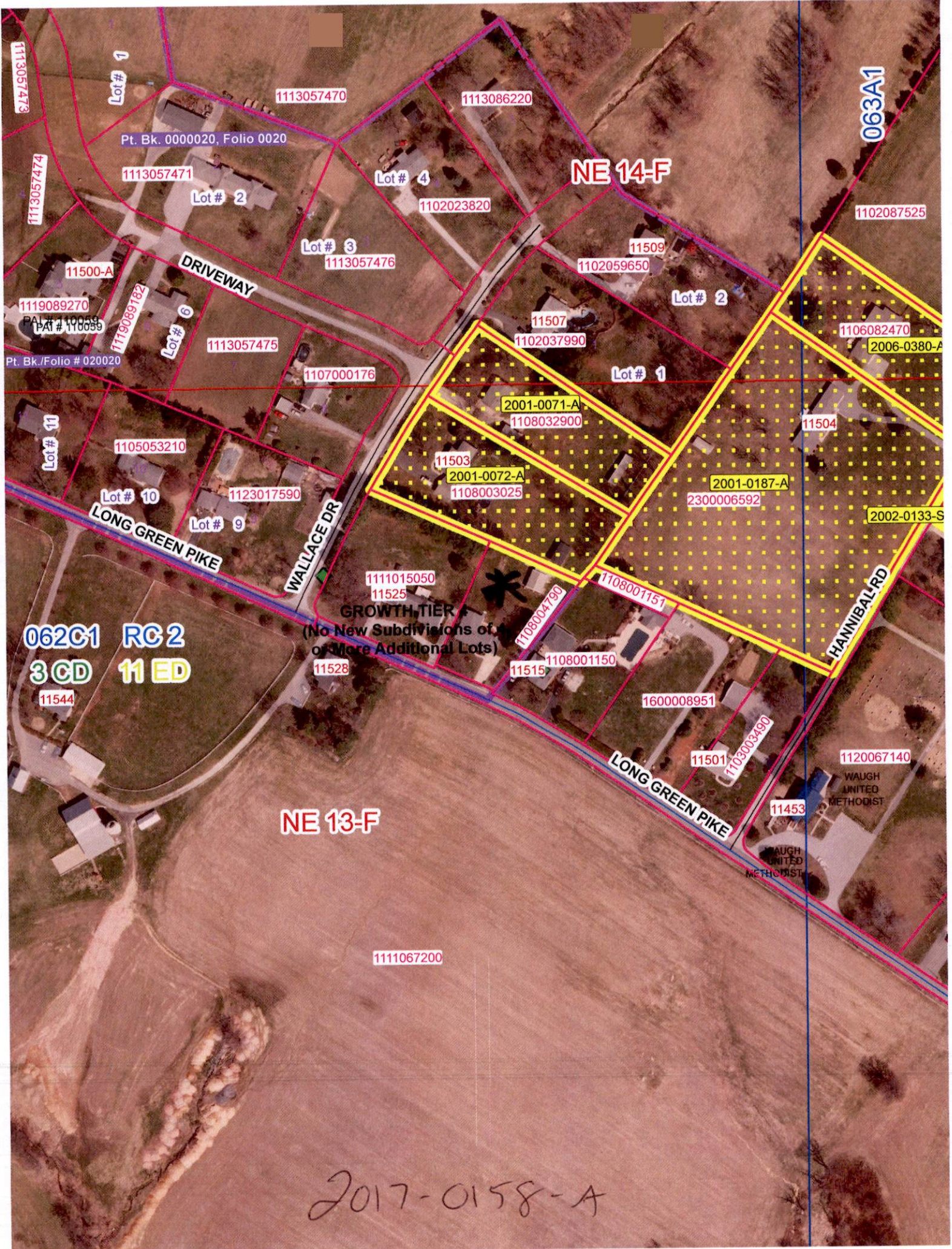
We are applying for a variance to continue to keep 10 chickens at 11521 Long Green Pike in lieu of the 1 acre required by Baltimore County Zoning.

We the undersign have lived her for ____ (See Below) years. There has always been these types of animals in the area.

We the undersign have no objection to the variance for these animals to live on the above mentioned properties.

<u>Name</u>	<u>Address</u>	<u>Years Lived Here</u>
Alessandro Vitale	11515 Long Green Pike Glen Arm Md 21057	25 yrs
Kim Frye	11517 Long Green Pike Glen Arm Md 21057	13 yrs
Roman Vitale	11514 Long Green Pike Glen Arm Md 21057	6 yrs
RINALDO Vitale	11515 Long Green Pike Glen Arm Md 21057	25 yrs
Regina Vitale	11515 Long Green Pike Glen Arm Md 21057	25 yrs
Sergio Vitale	11515 Long Green Pike Glen Arm Md 21057	25 yrs
DAVIDA BAUER	11523 LONG GREEN PK, GLEN ARM MD 21057	2
William Tandy	11523 Long Green Pike Glen Arm MD 21057	2 yrs
Gail R. White	11523 LONG GREEN PK GLEN ARM MD 21057	2 yrs
EARL BAUER	11525 LONG GREEN PIKE GLEN ARM MD 21057	2 yrs
Janette Grant	11523 Long Green Pike Glen Arm MD 21057	2 yrs
Roxanne Constantino	11503 Nellare Dr Glen Arm MD 21057	21 years

Signatures from all surrounding neighbors. Two neighbors are willing to come to our hearing.



2017-0158-A

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

ADDRESS 11521 Long Green Pike OWNER(S) NAME(S) Walter Serio Jr. Christina Serio

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

PLAT BOOK # 0000080 FOLIO # 0020 10 DIGIT TAX # 1108 004720 DEED REF. # 35523/007

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 06201

SITE ZONED RC2

ELECTION DISTRICT 11th

COUNCIL DISTRICT 3rd

LOT AREA ACREAGE 0.607

OR SQUARE FEET 25,456

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ___ PRIVATE X

SEWER IS:

PUBLIC ___ PRIVATE X

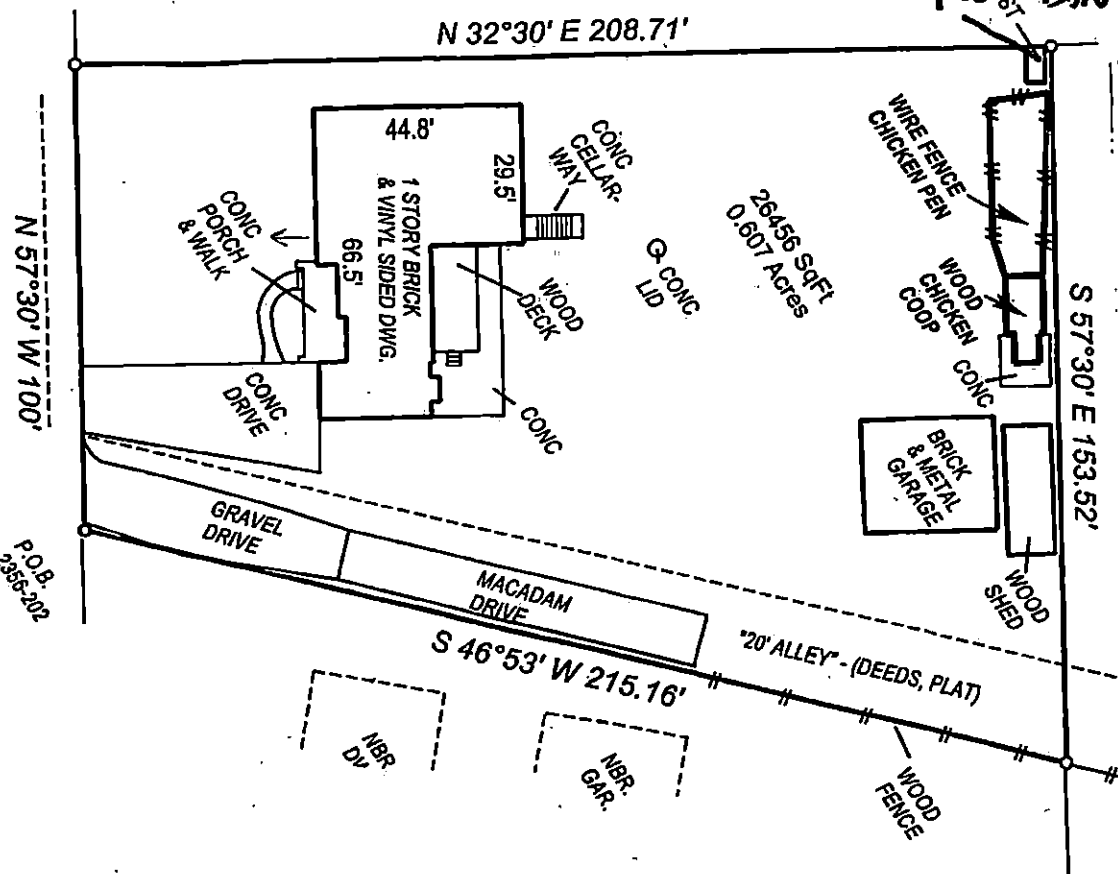
PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CC1613471

LONG GREEN PIKE



PLAN DRAWN BY

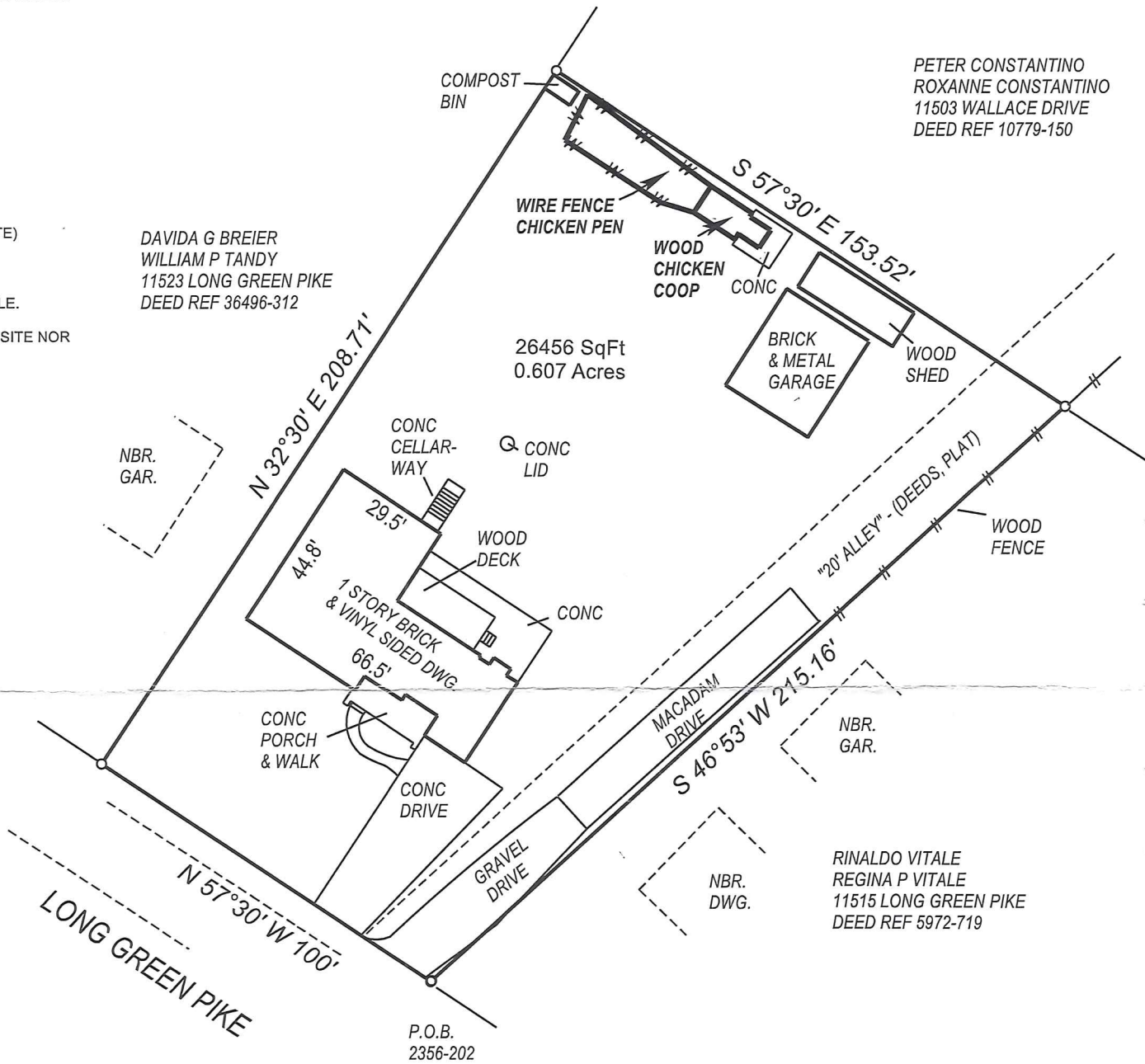
DATE

SCALE: 1 INCH = 40 FEET

2017-0158-A

GENERAL NOTES:

1. OWNER: P.296 - CHRISTINA SERIO
WALTER SERIO JR.
11521 LONG GREEN PIKE
GLEN ARM, MD. 21057
PHONE - 410-502-5242
2. SITE AREA:
GROSS: 28156 Sq.Ft. OR 0.646 Ac.+-
NET: 26456 Sq. Ft. OR 0.607 Ac+-
3. BUILDING AREA: 2137 SF +-
4. UTILITIES:
PRIVATE WELL AND SEPTIC
5. THE SITE LIES WITHIN ZONE "X" AS SHOWN
ON F.I.R.M. 2400100280F DATED SEPTEMBER 26, 2008.
6. EX. STRUCTURE = 1 STY DWLG.
7. NO KNOWN PERMITS ON FILE.
8. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY
CRITICAL AREA.
9. DEED REF.: JLE 35523-007
10. TAX ACCOUNT: #1108004790
11. COUNCILMANIC DISTRICT: 3RD
12. CENSUS TRACT: 411202
13. WATERSHED: LOWER GUNPOWDER FALLS
14. ZONING: RC 2
(PER BALT. CO. "MY NEIGHBORHOOD" WEBSITE)
15. TAX MAP: 0062 PARCEL 0296
16. NO KNOWN PREVIOUS ZONING CASES ON FILE.
- 17.THERE ARE NO HISTORIC FEATURES ON THE SITE NOR
IS THE SITE ITSELF HISTORIC.
18. NO KNOWN PREVIOUS DRC MEETINGS



SITE PLAN TO ACCOMPANY
REQUEST FOR ZONING VARIANCE

	#11521 LONG GREEN PIKE	DATE: 12-1-2016 SCALE: 1"= 40' JOB NO: 16-1606
	11TH EL DIST 3RD COUNC. DIST BALTIMORE COUNTY, MD	

Ex. 1