

M E M O R A N D U M

DATE: June 1, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0242-A – Appeal Period Expired

The appeal period for the above-referenced case expired on May 30, 2018. 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

(3118 Northwind Road)

11th Election District

5th Council District

Carlo & Theresa Gizzi

Legal Owners

Petitioners

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0242-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Carlo & Theresa Gizzi, the legal owners of the subject property (“Petitioners”). The Petition seeks variance relief from Sections 100.6 & 400.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit the stabling of chickens on a lot 0.960 acres in size with two detached accessory structures (garage/shed and chicken coop) located in the front yard in lieu of the minimum required one (1) acre and required rear yard location. A site plan was marked as Petitioners’ Exhibit 1.

Carlo & Theresa Gizzi appeared in support of the petition. Two neighbors attended the hearing to express concern with the chickens leaving their enclosure and wandering across their property. The Petition was advertised and posted as required by the BCZR. A Substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”).

The site is approximately 0.960 acres in size and split-zoned DR 2 & DR 3.5. The property is improved with a single-family dwelling constructed in 1992. Petitioners have resided in their home for over 20 years and acquired several chickens last year. The neighbors in attendance at the hearing stated they did not object to Petitioners having chickens; they simply wanted to ensure that the chickens were kept within the enclosure and coop. Petitioners stated they received a

violation notice from Baltimore County on January 30, 2018, and as a result they no longer allow

ORDER RECEIVED FOR FILING

Date 4-30-18

D. 100

the chickens to roam. The neighbors confirmed that fact. As explained by the undersigned, the County's Bureau of Code Enforcement (410-887-3351) will respond to complaints if this condition is not observed.

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

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

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

The property is L-shaped and split-zoned and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to keep their chickens and would be required to relocate the shed. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of community opposition.

THEREFORE, IT IS ORDERED, this 30th day of **April, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit the stabling of chickens on a lot 0.960 acres in size with two detached accessory structures (garage/shed and chicken coop) located in the front yard in lieu of the minimum required one (1) acre and required rear yard location, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may keep on the premises no more than seven (7) chickens. No roosters may be kept on the subject property.
2. The chickens must at all times be kept within their enclosure, and the coop and enclosure must be kept clean and free of animal waste or other debris.

ORDER RECEIVED FOR FILING

Date 4-30-18

By LDW

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:slh

ORDER RECEIVED FOR FILING

Date 4-30-18

By [Signature]



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 3118 Northwind Road which is presently zoned DR2+ DR 3.5
 Deed References: 29052 00181 10 Digit Tax Account # 2200010178
 Property Owner(s) Printed Name(s) Carlo + Theresa Gizzi

(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) ... Sections 100.6 and 400.1 – to permit the stabling of chickens on a lot of 0.960 acre with two detached accessory structures (garage and coop) located in the front yard in lieu of the minimum 1 acre and required rear yard.

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):

Carlo Gizzi, Theresa Gizzi

Name #1 – Type or Print

Name #2 – Type or Print

Carlo Gizzi

Theresa Gizzi

Signature #1

Signature #2

3118 Northwind Rd MD

Mailing Address City State

21234 / 410 665-5210 / CGizzi@cc-md.org

Zip Code Telephone # Email Address

Representative to be contacted:

Carlo Gizzi

Name – Type or Print

Carlo Gizzi

Signature

3118 Northwind Rd Parkville, MD

Mailing Address City State

21234 / 410 665-5210 / CGizzi@cc-md.org

Zip Code Telephone # Email Address

CASE NUMBER

2018-0242 A

Filing Date

3/15/18

Do Not Schedule Dates:

Reviewer

BZ

REV. 10/4/11

Date

4-30-18

By

Carlo

ZONING PROPERTY DESCRIPTION FOR 3118 NORTHWIND ROAD

Beginning at a point on the north side of Northwind Road, which has a 60-foot right of way, at a distance of +/-85 feet west of the centerline of the nearest improved intersecting street Maidbrook Road, which has a 50-foot right of way. Thence the following courses and distances: (1st Point of Call – "POC") N 26° 56' E 192.64', (2nd POC) N 63° 53' W 141.28', (3rd POC) N 22° 15' E 200', (4th POC) 67° 45' E 169.08', (5th POC) S 22° 15' W 409.08', (6th POC) N 58° 11' W 44.47' back to the point of beginning, as recorded in Deed Liber #29052, Folio #181, containing 0.960 acre. Located in the 11th Election District and 5th Councilmanic District. Also known as Lot #1 in the minor subdivision of THE CHENOWETH PROPERTY, PAI #11-0648, as maintained by the Department of Permits, Approvals, and Inspections.

Item # 0242



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 5537210

Sold To:

Carlo Gizzi - CU00646691
3118 Northwind Rd
Parkville, MD 21234-1216

Bill To:

Carlo Gizzi - CU00646691
3118 Northwind Rd
Parkville, MD 21234-1216

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

Apr 05, 2018

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: 2018-0242-A
3118 Northwind Road
N/s Northwind Road, 85 ft. w/of centerline of Maidbrook Road 11th Election District - 5th Councilmanic District
Legal Owners: Carlo & Theresa Gizzi
Variance to permit the stabling of chickens on a lot of 0.960 acre with two detached accessory structures (garage and coop) located in the front yard in the lieu of the minimum 1 acre and required rear yard.
Hearing: Friday, April 27, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

/s/ Arnold Ablon
Arnold Ablon
Director of Permits, Approvals and Inspections for Baltimore County
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.
5537210 - 04/05/2018

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

2. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

RE: Case No. 2018-0242-A

Petitioner: Mr. & Mrs. Grizzi

Hearing Date: 4/27/18

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

3118 Northwind Road (Front & Side of property)

_____ on 4/7/18

and have been re-photographed on the property on 4/22/18

Sincerely,

 4/22/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

413-243-7360

APPENDIX 10

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Page 10

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Certificate of Posting

Case No 2018-9242-A

ZONING NOTICE
CASE # 2018-0242-A

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

PLACE: RM. 205, JEFFERSON Bldg. - 105 W. CHESAPEAKE AVE
Towson, MD 21204

DATE AND TIME: FRIDAY, APRIL 27, 2018 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT THE STABLING OF CHICKENS ON A
LOT OF 0.960 ACRE WITH TWO DETACHED ACCESSORY
STRUCTURES (GARAGE AND COOP) LOCATED IN THE FRONT
YARD IN LIEU OF THE MINIMUM 1 ACRE AND REQUIRED
REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

4/22/18 4:28 PM

3118 Northwind Road (Front) 1A of 2

 4/22/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

THE
FEDERAL GOVERNMENT

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FEDERAL GOVERNMENT

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FEDERAL GOVERNMENT

Certificate of Posting

Case No 2018-9242-A

ZONING NOTICE

CASE # 2018-0242-A

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

PLACE: RM 205, JEFFERSON BLDG. - 105 W. CHESAPEAKE AVE.,
TOWSON, MD. 21204

DATE AND TIME: FRIDAY, APRIL 27, 2018 AT 11:00 A.M.

REQUEST: THE
VARIANCE TO PERMIT STABLING OF CHICKENS ON A
LOT OF 0.960 ACRE WITH TWO DETACHED ACCESSORY
STRUCTURES (GARAGE AND COOP) LOCATED IN THE FRONT
YARD IN LIEU OF THE MINIMUM 1 ACRE AND REQUIRED
REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

4/22/18 4:30 PM

3118 Northwind Road (Side) 2A of 2

 4/22/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

CERTIFICATE OF POSTING

RE: Case No. 2018-0242-A

Petitioner: Mr. & Mrs. Grizzi

Hearing Date: 4/27/18

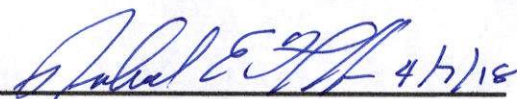
Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

3118 Northwind Road (Front & Side of property)

_____ on 4/7/18

Sincerely,

 4/7/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

Certificate of Posting

Case No 2018-9242-A



3118 Northwind Road (Front))

Richard E. Hoffman 4/7/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

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Certificate of Posting

Case No 2018-9242-A

ZONING NOTICE
CASE # 2018-0242-A

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

PLACE: RM 205, JEFFERSON BLDG. - 105 W CHESAPEAKE AVE.,
TOWSON, MD 21204

DATE AND TIME: FRIDAY, APRIL 27, 2018 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT, ^{THE} STABLING OF CHICKENS ON A
LOT OF 0.960 ACRE WITH TWO DETACHED ACCESSORY
STRUCTURES (GARAGE AND LOOP) LOCATED IN THE FRONT
YARD IN LIEU OF THE MINIMUM 1 ACRE AND REQUIRED
REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

4/7/18 3:30 PM

3118 Northwind Road (Side)

Richard E. Hoffman 4/7/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



KEVIN KAMENETZ
County Executive

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

March 29, 2018

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: 2018-0242-A

3118 Northwind Road

N/s Northwind Road, 85 ft. w/of centerline of Maidbrook Road

11th Election District – 5th Councilmanic District

Legal Owners: Carlo & Theresa Gizzi

Variance to permit the stabling of chickens on a lot of 0.960 acre with two detached accessory structures (garage and coop) located in the front yard in the lieu of the minimum 1 acre and required rear yard.

Hearing: Friday, April 27, 2018 at 11:00 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: Mr. & Mrs. Gizzi, 3118 Northwind Road, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 7, 2018.**
- (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, April 5, 2018 Issue - Jeffersonian

Please forward billing to:
Carlo Gizzi
3118 Northwind Road
Parkville, MD 21234

410-665-5210

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: 2018-0242-A

3118 Northwind Road
N/s Northwind Road, 85 ft. w/of centerline of Maidbrook Road
11th Election District – 5th Councilmanic District
Legal Owners: Carlo & Theresa Gizzi

Variance to permit the stabling of chickens on a lot of 0.960 acre with two detached accessory structures (garage and coop) located in the front yard in the lieu of the minimum 1 acre and required rear yard.

Hearing: Friday, April 27, 2018 at 11:00 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
3118 Northwind Road; N/S of Northwind
Road, 85' W of c/line of Maidbrook Road
11th Election & 5th Councilmanic Districts
Legal Owner(s): Carlo & Theresa Gizzi
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2018-242-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

MAR 26 2018

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 26th day of March, 2018, a copy of the foregoing Entry of Appearance was mailed to Carlo Gizzi, 3118 Northwind Road, Parkville, Maryland 21234, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2018-0242-A
Property Address: 3118 Northwind Rd
Property Description: north side of Northwind Rd, 1/4-85 west
of Maidbrook Rd
Legal Owners (Petitioners): _____
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Carlo Gizzi
Company/Firm (if applicable): _____
Address: 3118 Northwind Road
Parkville, MD 21234
Telephone Number: 410 665-5210

Revised 7/9/2015

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

NO 166125

Date: 3/15/2018

Fund	Dept	Unit	Sub Unit	Obj	Sub-Obj	Dept Obj	BS Acct	Amount
001	006	0000		6150				575.00

Total: \$ 17.00

Rec From: T+C GIZZI

For: Zoning hearing - case # 2018-0242-A

DISTRIBUTION

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

PAID RECEIPT

POSTRESS ACTUAL TIME BR
3/15/2018 3/15/2018 10:50:46 1
REG 0603 WALKIN CASH
RECEIPT # 744037 3/15/2018 013
Dept 006 020 ZONING VERIFICATION
CF NO 166125
Receipt Tot 575.00
\$75.00 CK \$100 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

April 18, 2018

Carlo & Theresa Gizzi
3118 Northwind Road
Baltimore MD 21234

RE: Case Number: 2018-0242 A, Address: 3118 Northwind Road

Dear Mr. & Ms. Gizzi:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 15, 2018. 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 dark ink, reading "W. Carl Richards, Jr.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Date: 3/19/18

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

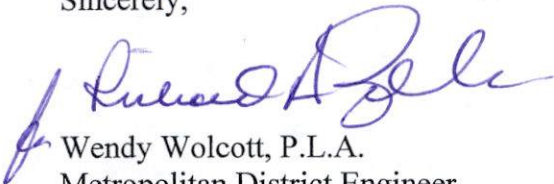
Dear Ms. Lewis:

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. 2018-0242-A

Variance
Carlo & Theresa Gizzi
3118 Northwind Road

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,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-242



INFORMATION:

Property Address: 3118 Northwind Road
Petitioner: Carlo Gizzi
Zoning: DR 2, DR 3.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit the stabling of chickens on a lot of 0.960 acres with two detached accessory structures (garage and coop) located in the front yard in lieu of the minimum one acre and required rear yard.

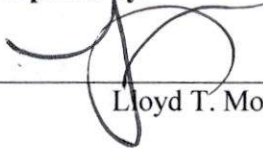
A site visit was conducted on 3/28/2018. The property is located within the boundaries of the Carny Cub Hill Parkville Community Plan and made a part of the Master Plan 2020. Said plan seeks to promote the goals of orderly development as established in BZCR §100.1. There is currently an open violation notice, #CC1800780, which is directly connected to the petitioned relief.

The Department does not support granting the petitioned zoning relief.

The configuration of the lot and the juxtaposition of the adjacent dwellings are such that the chicken coop, as proposed, cannot integrate successfully into the established neighborhood but instead presents a potential for visual and noise nuisance to said adjacent dwellings.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Laurie Hay
Carlo Gizzi
Office of the Administrative Hearings
People's Counsel for Baltimore County

4-27

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: March 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0242-A
Address 3118 Northwind Road
(Gizzi Property)

Zoning Advisory Committee Meeting of **March 26, 2018.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: *VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: April 4, 2018

SUBJECT: Zoning Advisory Committee Meeting
For March 26, 2018
Item No. 2018-0237-A, 0238-A, 0239-A, 0240-SPH, 0242-A, 0243-A, 0244-A, 0245-A and 0247-A

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

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VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/11/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-242

INFORMATION:

Property Address: 3118 Northwind Road
Petitioner: Carlo Gizzi
Zoning: DR 2, DR 3.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit the stabling of chickens on a lot of 0.960 acres with two detached accessory structures (garage and coop) located in the front yard in lieu of the minimum one acre and required rear yard.

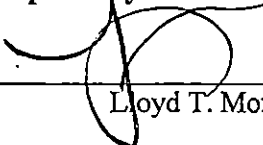
A site visit was conducted on 3/28/2018. The property is located within the boundaries of the Carny Cub Hill Parkville Community Plan and made a part of the Master Plan 2020. Said plan seeks to promote the goals of orderly development as established in BZCR §100.1. There is currently an open violation notice, #CC1800780, which is directly connected to the petitioned relief.

The Department does not support granting the petitioned zoning relief.

The configuration of the lot and the juxtaposition of the adjacent dwellings are such that the chicken coop, as proposed, cannot integrate successfully into the established neighborhood but instead presents a potential for visual and noise nuisance to said adjacent dwellings.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Laurie Hay
Carlo Gizzi
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: March 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0242-A
Address 3118 Northwind Road
(Gizzi Property)

Zoning Advisory Committee Meeting of **March 26, 2018**.

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

Reviewer: Steve Ford

CASE NAME _____
CASE NUMBER _____
DATE _____

4-27-2018

4-27-2018

E - MAIL

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

4-27-2018

4-27-2018

E - MAIL

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

4/4

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

NO COMMENT

3/27

DEPS
(if not received, date e-mail sent _____)

NO COMMENT

4/17

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)OPPOSED
COMMENT

3/19

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

4/5/18

SIGN POSTING (1st)

Date:

4/7/18

by

Hoffman

SIGN POSTING (2nd)

Date:

4/22/18

by

Hoffman

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 11 Account Number - 2200010178								
Owner Information										
Owner Name:		GIZZI THERESA A GIZZI CARLO			Use: Principal Residence:		RESIDENTIAL YES			
Mailing Address:		3118 NORTHWIND RD BALTIMORE MD 21234-1216			Deed Reference:		/29052/ 00181			
Location & Structure Information										
Premises Address:		3118 NORTHWIND RD 0-0000			Legal Description:		.960 AC 3118 NORTHWIND RD 1700 SE HARFORD RD			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	MS
0071	0005	1565		0000			1	2018	Plat Ref:	
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1992		2,992 SF				0.9600 AC		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
2	YES	STANDARD UNIT	SIDING	4 full	1Att/1Det					
Value Information										
			Base Value	Value	Phase-in Assessments					
				As of	As of		As of			
				01/01/2018	07/01/2017		07/01/2018			
Land:			59,500	59,500						
Improvements			400,500	410,600						
Total:			460,000	470,100	460,000		463,367			
Preferential Land:			0				0			
Transfer Information										
Seller: MATTUCCI THERESA A				Date: 01/06/2010			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /29052/ 00181			Deed2:			
Seller: MATUCCI ANTHONY P				Date: 08/27/1999			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /13989/ 00741			Deed2:			
Seller: AQUILANO DONALD, JR				Date: 01/21/1998			Price: \$270,000			
Type: ARMS LENGTH IMPROVED				Deed1: /12617/ 00705			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2017			07/01/2018			
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 02/04/2014										

Homeowners' Tax Credit Application Information

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

Case No.: 2018-0242-A 3118 NORTHwind Rd

Exhibit Sheet

Petitioner/Developer

DW
A-30-18

Protestants

DW
6-1-18

No. 1	Plan	Photos
No. 2	Letters of Support	Letter w/ photos from Lily Li
No. 3	Zoning Map	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

April 23, 2018

To Whom It May Concern:

I wish it to be known in the public record that I have no objection to the stabling of chickens on my neighbor's lot, who reside at 3118 Northwind Road. Their chickens do not cause a visual or noise nuisance to our community.

If you have questions, I reside at 3120A Northwind Road.

Sincerely,

A handwritten signature in blue ink that reads "Annette Janowich". The signature is written in a cursive, flowing style.

Steve and Ann Janowich

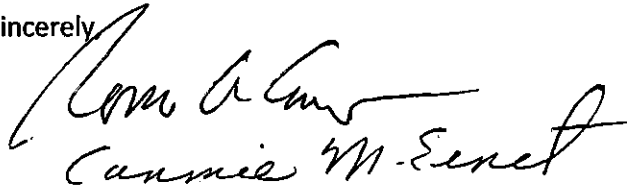
April 23, 2018

To Whom It May Concern:

I wish it to be known in the public record that I have no objection to the stabling of chickens on my neighbor's lot, who reside at 3118 Northwind Road. Their chickens do not cause a visual or noise nuisance to our community.

If you have questions, I reside at 3112 Northwind Road.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob & Connie Ernst', written in a cursive style.

Bob and Connie Ernst

April 23, 2018

To Whom It May Concern:

I wish it to be known in the public record that I have no objection to the stabling of chickens on my neighbor's lot, who reside at 3118 Northwind Road. Their chickens do not cause a visual or noise nuisance to our community.

If you have questions, I reside at 3114 Northwind Road.

Sincerely,

Betty M. Ernst

Betty Ernst

April 23, 2018

To Whom It May Concern:

I wish it to be known in the public record that I have no objection to the stabling of chickens on my neighbor's lot, who reside at 3118 Northwind Road. Their chickens do not cause a visual or noise nuisance to our community.

If you have questions, I reside at 3122 Northwind Road.

Sincerely,


Antonio Gizzi

April 23, 2018

To Whom It May Concern:

I wish it to be known in the public record that I have no objection to the stabling of chickens on my neighbor's lot, who reside at 3118 Northwind Road. Their chickens do not cause a visual or noise nuisance to our community.

If you have questions, I reside at 3122A Northwind Road.

Sincerely,

A handwritten signature in blue ink, reading "Ann Steinhauser". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Ann Steinhauser



ADDRESS: 3118 NORTHWIND ROAD, PARKVILLE, MD 21234

OWNER: GIZZI THERESA A GIZZI CARLO

MAP: 0071

PARCEL: 1565

LOT #: 1

LANDUSE: SFD

DATE: 03.13.18

SCALE: 1:60

PET. 3

Jan. 29, 2018

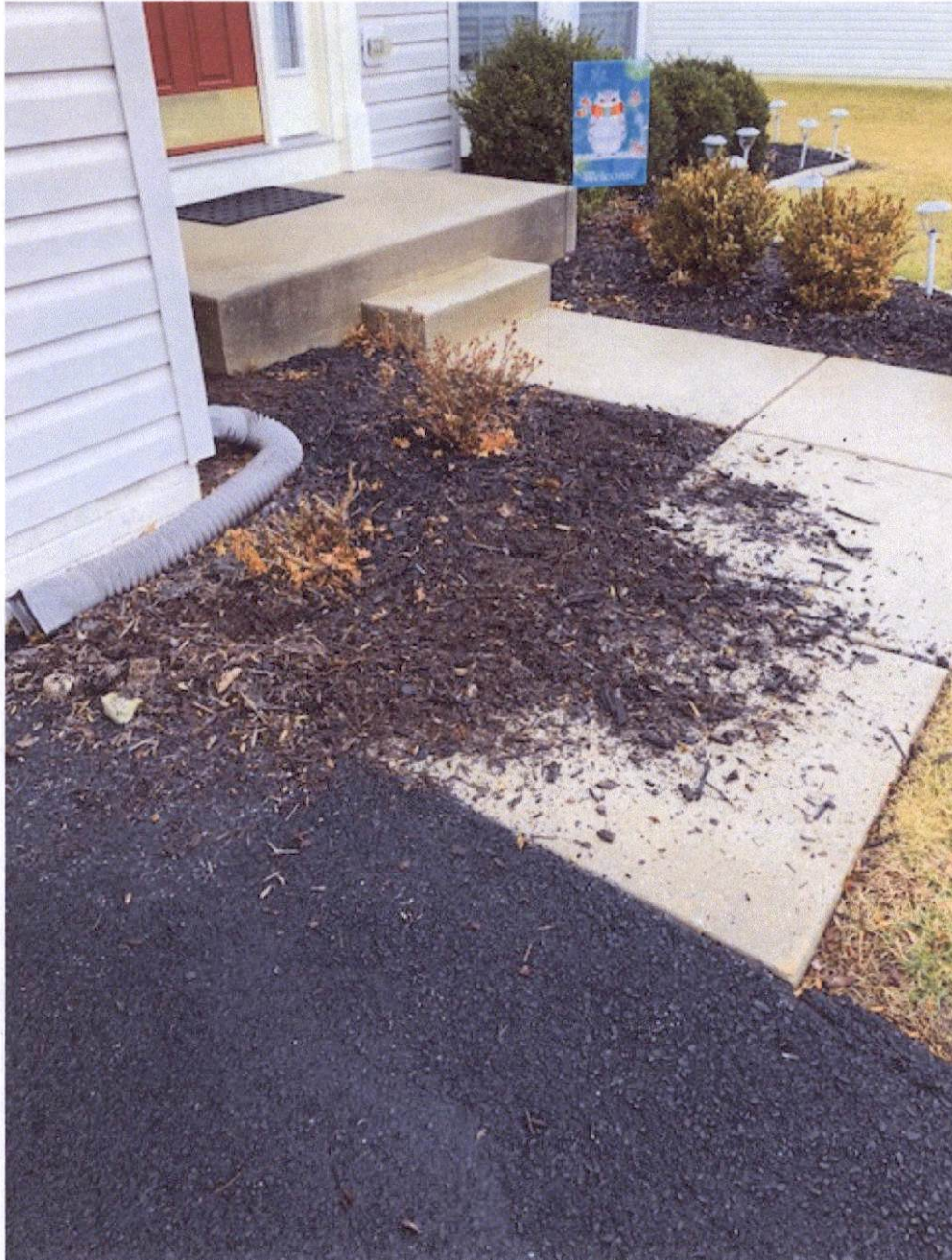


Prot. #1

Jan 28, 2018



Jan. 28, 2018



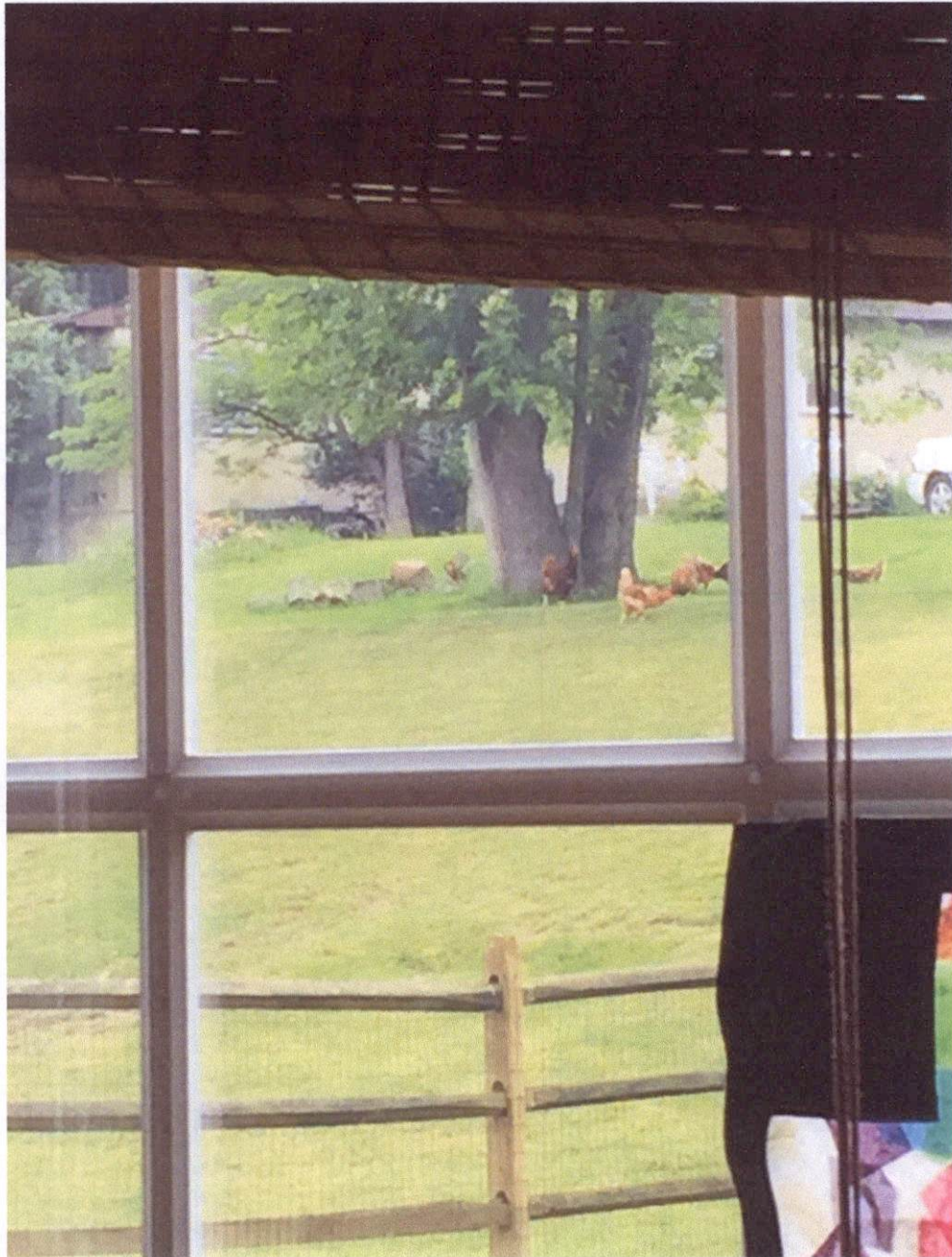
Nov. 14, 2017



Nov. 14, 2017



June 2017



June 2011





Jan. 2018

Public Hearing about Chicken Property, case # 2018-0242-A

Please DO NOT LET Chicken out to our Properties

Dear Zoning Officers,

My name is Lily Li, a property owner downhill of the subject Chicken Property. Just let you know that the chicken owner had the chicken roam around in our property a lot of times. Their chickens including rooster and hens, should be kept in their property, but not in ours.

Everyday, after long hours of stressful work, I just want to be back home to relax and have peace. But after those chickens invaded our property, messing up with sidewalks, digging out our flower beds, plants and dumped all the potting soils and mulch everywhere, I just couldn't have peace or serenity. I couldn't find a spot to step on, as the chicken waste was all over my walkway and porch. My flowers were dead, along with other plants. To be honest, I am scared of those chickens.

Especially during flu season, those wondering chickens added to my panic. As you all know, this year the flu shots were not effective. I really didn't want to have more virus or bacteria compromised by those chickens. We've heard swine flu, and I don't want to have chicken flu. It will jeopardize our health, our pets, especially those little kids and babies in our community. We have one infant, three or four toddlers and eight little kids in our community.

So many times, we told the chicken owner to keep their chicken in their property, but so many times we kept seeing their flocks of chicken in our properties and doing parade on our community roads.

In the end, I would say: "If the chicken owner is to be approved today to be allowed to continue to have chicken in their property, I would request it should be a conditional approval. The condition is: the owner can not let the chicken out one more time. If the chickens are out again, then the conditional approval is automatically revoked. And, we, as the community members immediately downhill the chicken property, should have a hard copy of the conditional approval for our records with the contact information of the appropriate agency. If the chickens are out again in the future, we can immediately call the agency, to report and to have the approval revoked'.

Here are also some pictures our community members snapped, when those chickens were exploring in our community.

Thanks a lot for your consideration.

PROT. #2





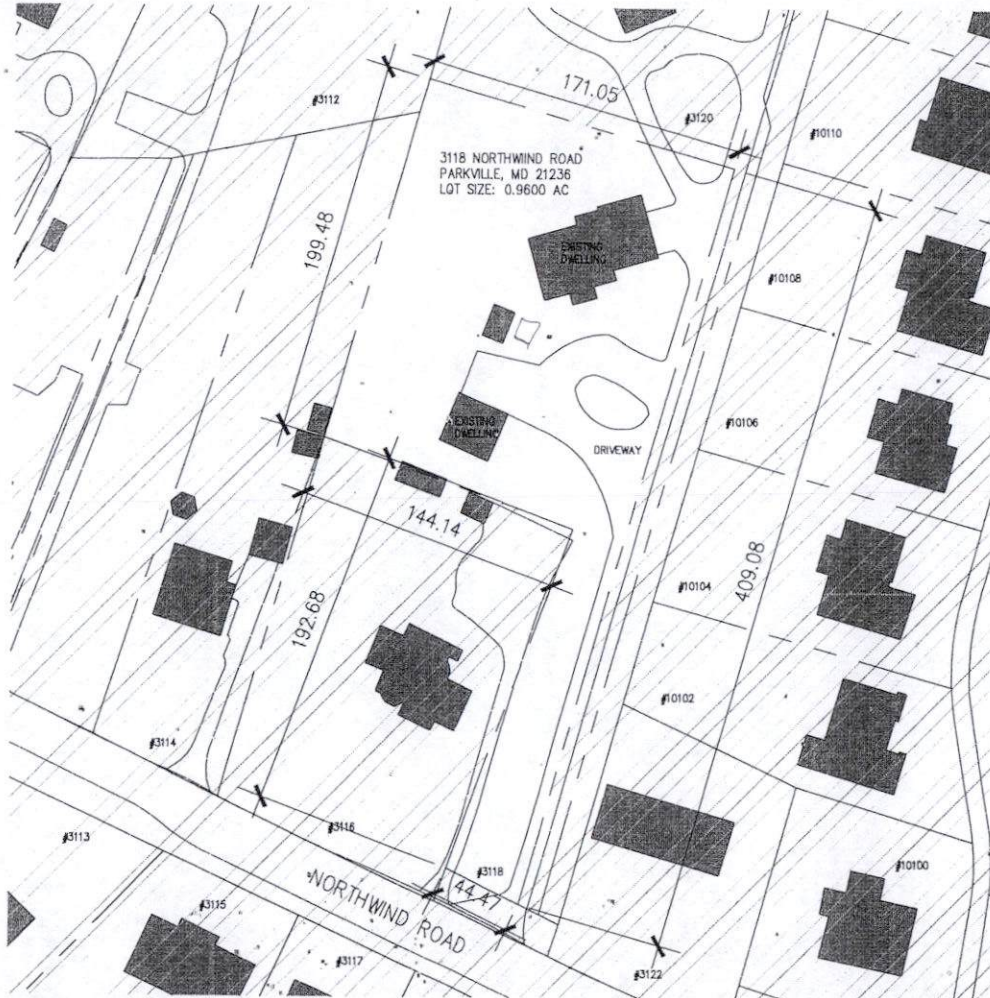


ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

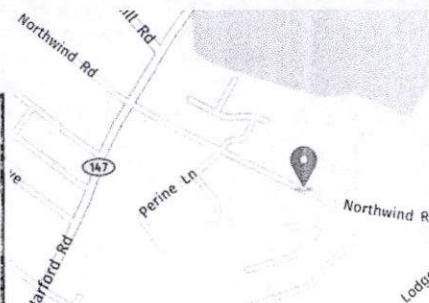
ADDRESS 3118 Northwind Road OWNER(S) NAME(S) Carlo & Theresa Gizzi

SUBDIVISION NAME none LOT # 1 BLOCK # _____ SECTION # _____

PLAT BOOK # 9590 FOLIO # 275 10 DIGIT TAX # 2200010178 DEED REF. # 29052/00181
0013989 741



PLAN DRAWN BY _____ DATE: 03.13.18 SCALE: 1 INCH = 100 FEET



MAP IS NOT TO SCALE

ZONING MAP# 0071C

SITE ZONED DR 2 + DR 3.1

ELECTION DISTRICT 11

COUNCIL DISTRICT 5

LOT AREA ACREAGE 0.960 + 0.02
998

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

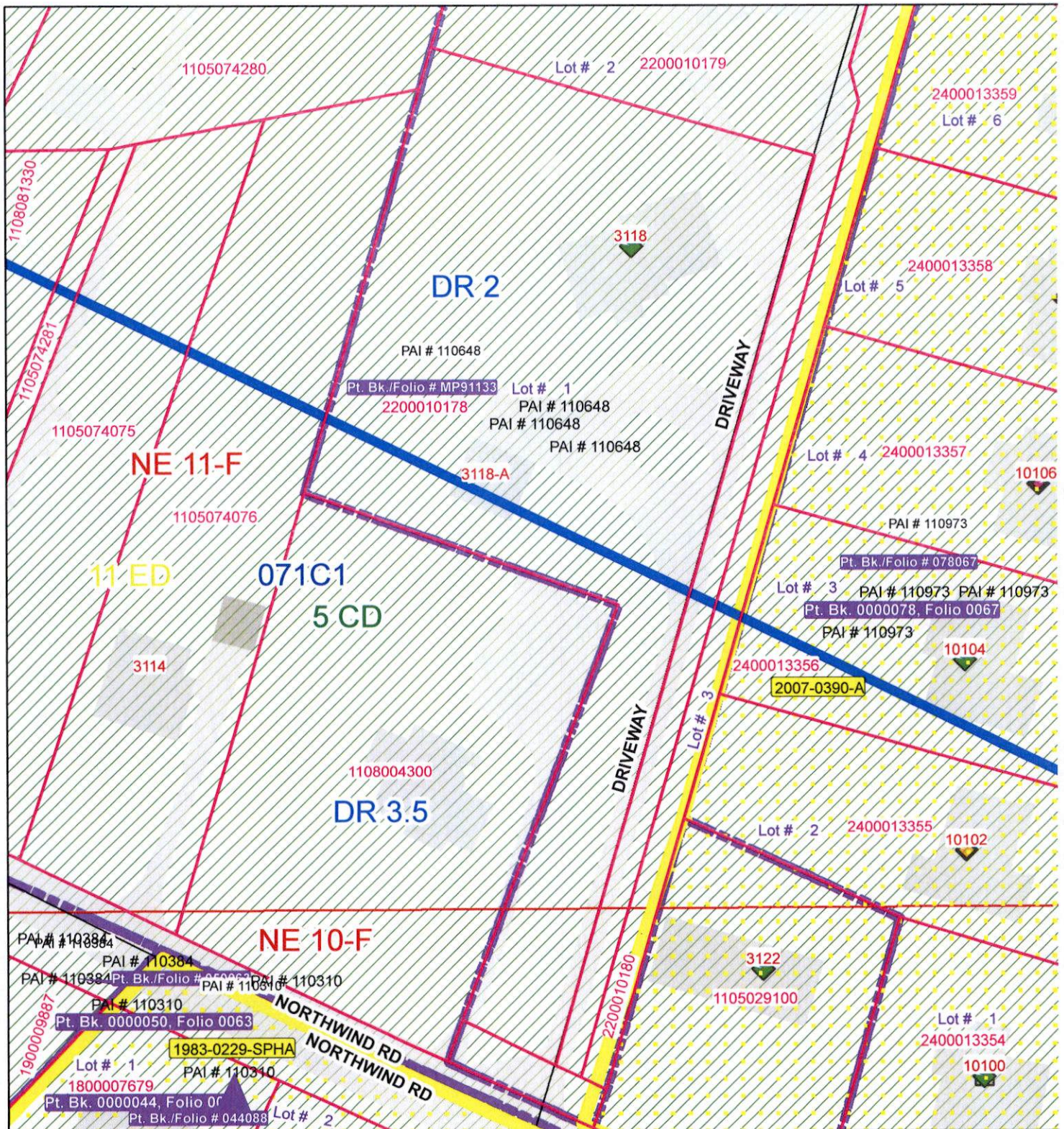
IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Item #0242

118 Northwind Road



Publication Date: 3/2/2018



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

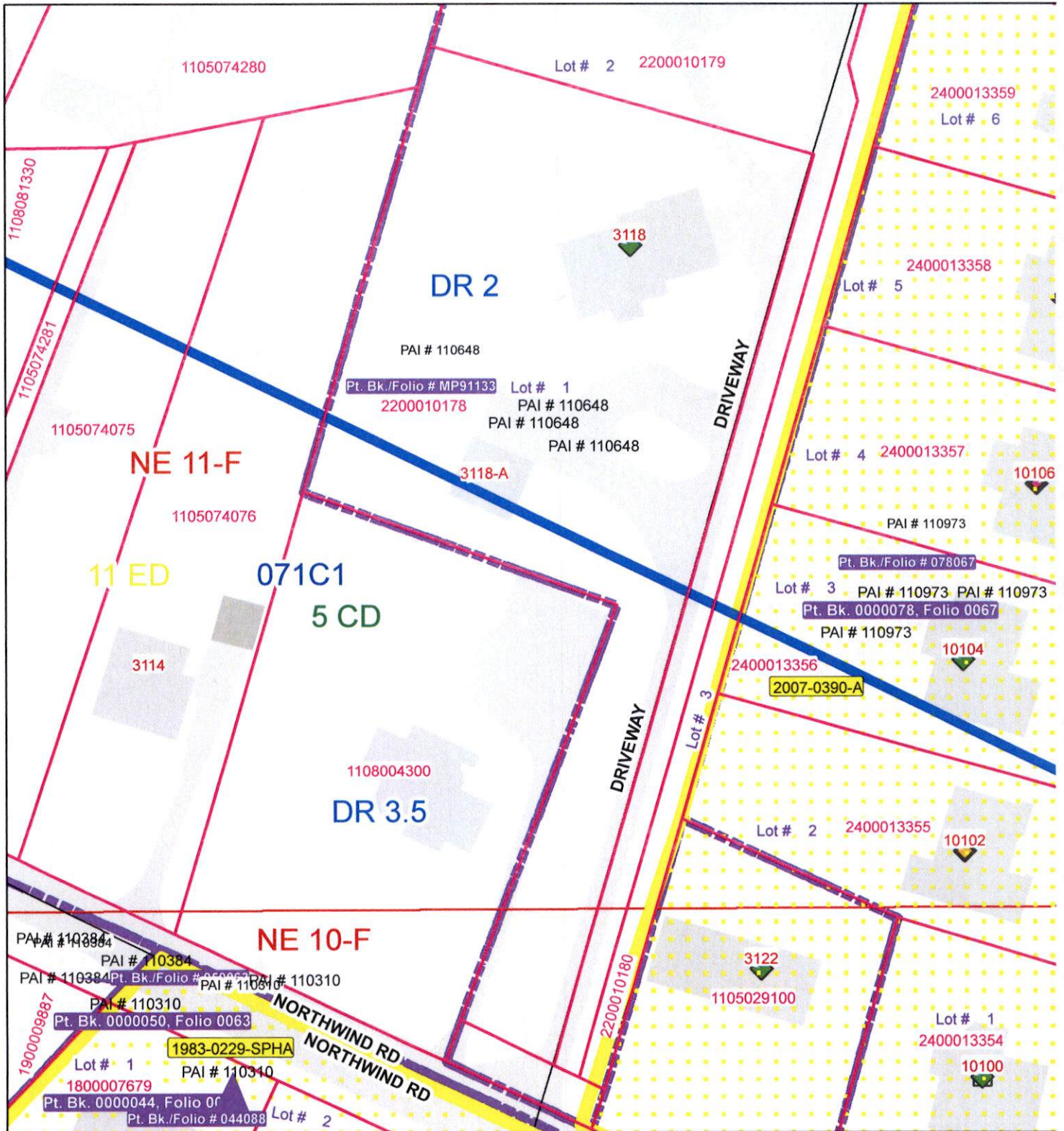


0 15 30 60 90 120 Feet

1 inch = 60 feet

Item #0242

118 Northwind Road



Publication Date: 3/2/2018



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 15 30 60 90 120 Feet

1 inch = 60 feet

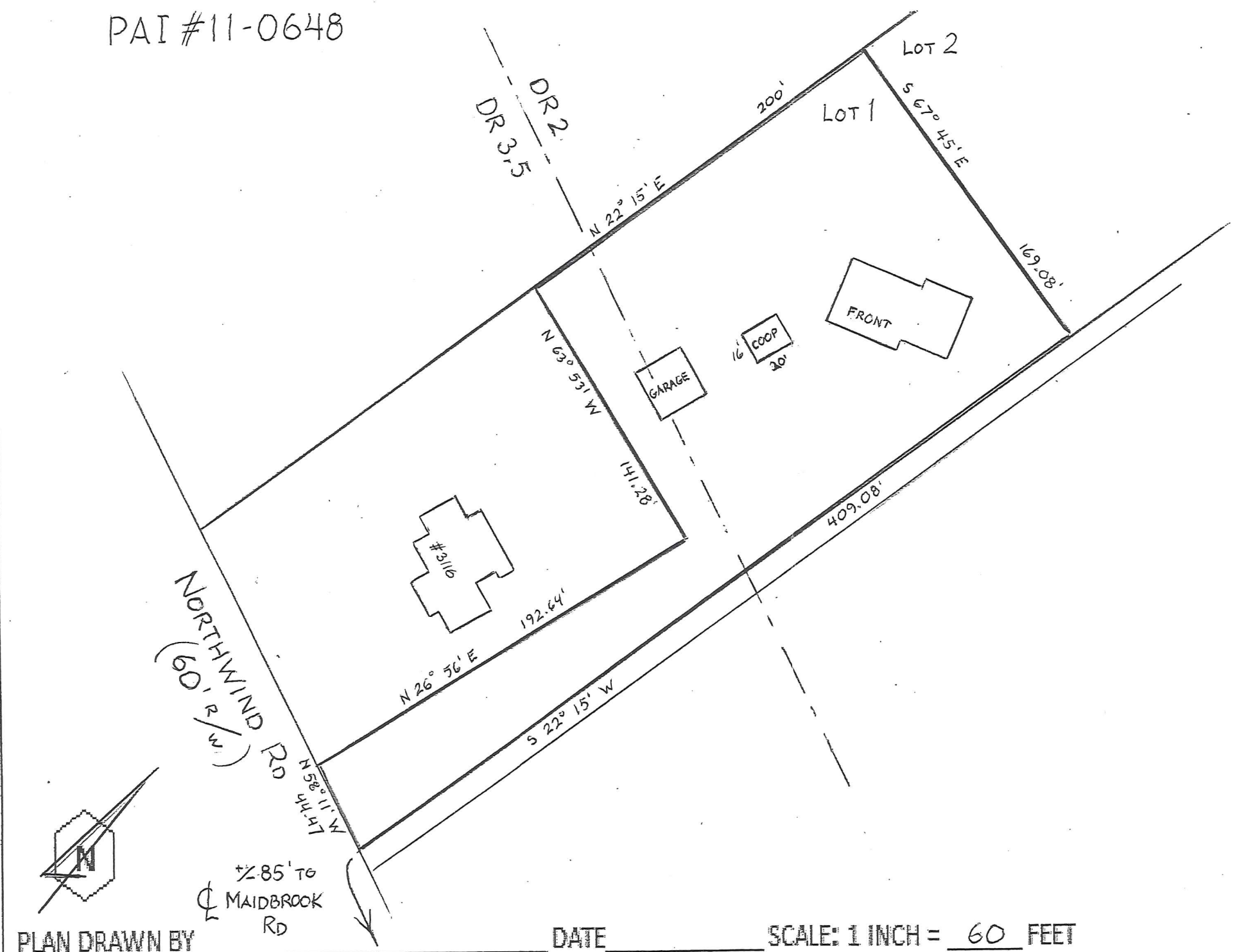
Item # 0242

MA

#2018-0242-A

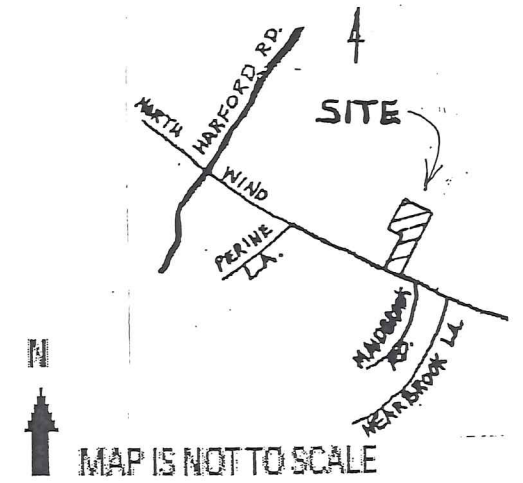
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 3118 NORTHWIND RD OWNER(S) NAME(S) CARLO + THERESA GIZZI
SUBDIVISION NAME THE CHENOWETH PROPERTY (MS) LOT# 1 BLOCK# _____ SECTION# _____
PLAT BOOK# _____ FOLIO# _____ 10 DIGIT TAX# 2200010178 DEED REF.# 29052/00181

PAI #11-0648



PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = 60 FEET

SITE VICINITY MAP



ZONING MAP# 071C1
SITE ZONED DR 2 / DR 3.5
ELECTION DISTRICT 11TH
COUNCIL DISTRICT 5TH
LOT AREA ACREAGE 0.960
OR SQUARE FEET _____
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC ☒ PRIVATE _____
SEWER IS:
PUBLIC ☒ PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PET. No. 1

April 23, 2018

To Whom It May Concern:

I wish it to be known in the public record that I have no objection to the stabling of chickens on my neighbor's lot, who reside at 3118 Northwind Road. Their chickens do not cause a visual or noise nuisance to our community.

If you have questions, I reside at 3120 Northwind Road.

  
Sincerely,  3120 Northwind Rd. 21234

Larry and Kay Kone

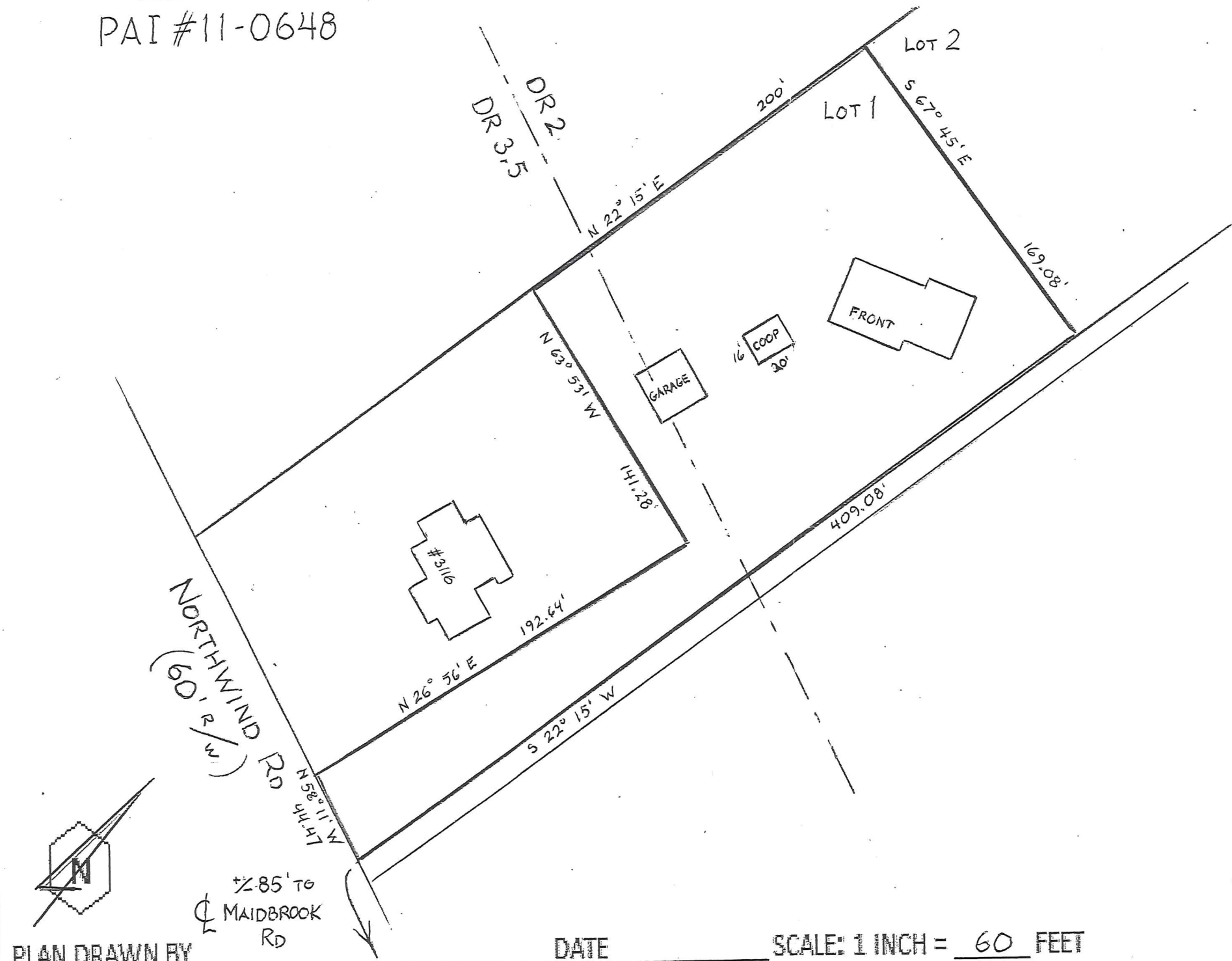
PET. No. 2

ADD

#2018-0242-A

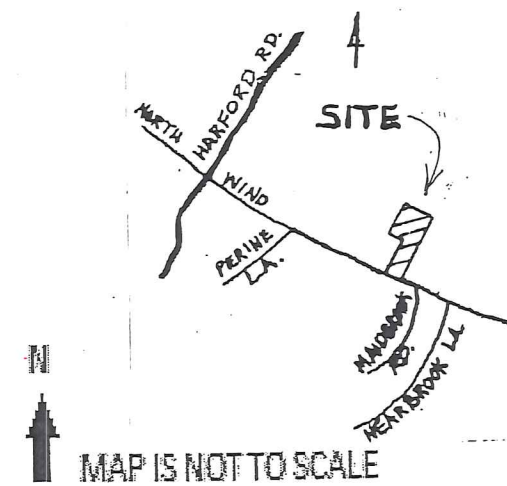
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 3118 NORTHWIND RD OWNER(S) NAME(S) CARLO + THERESA GIZZI
SUBDIVISION NAME THE CHENOWETH PROPERTY (MS) LOT# 1 BLOCK# _____ SECTION# _____
PLAT BOOK# _____ FOLIO# _____ 10 DIGIT TAX# 2200010178 DEED REF.# 29052/00181

PAI #11-0648



PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = 60 FEET

SITE VICINITY MAP



ZONING MAP# 071C1
SITE ZONED DR 2 / DR 3.5
ELECTION DISTRICT 11TH
COUNCIL DISTRICT 5TH
LOT AREA ACREAGE 0.960
OR SQUARE FEET _____
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC ☒ PRIVATE _____
SEWER IS:
PUBLIC ☒ PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO: