

## MEMORANDUM

DATE: September 7, 2018  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2018-0352-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on September 6, 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**

(9606 Dixon Avenue)

9<sup>th</sup> Election District

3<sup>rd</sup> Council District

Jacqueline Morris

*Legal Owner*

Petitioner

\*

\*

\*

\*

\*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2018-0352-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Jacqueline Morris, legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from Sections 100.6 and 400.1 of the Baltimore County Zoning Regulations (“BCZR”) to permit existing stabling of chickens on a property of 10,250 sq. ft. in lieu of the minimum required 1 acre, and to permit an existing detached accessory structure (chicken coop) with a side yard setback of 0 ft. in lieu of the minimum required 2.5 ft. A site plan was marked as Petitioner’s Exhibit 1.

Jacqueline Morris appeared in support of the petition. Several neighbors attended the hearing in support of the request. 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”). That agency opposed the request.

The site is approximately 10,250 square feet in size and zoned DR 5.5. The property is improved with a single-family dwelling constructed in 1930. In the rear yard Petitioner has a coop housing approximately 30 chickens. Petitioner previously had roosters in her flock which caused her neighbor to file a complaint with Baltimore County. Petitioner explained she gave the roosters away and now has only hens on the property.

ORDER RECEIVED FOR FILING

Date

8/7/18

By

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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 has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to keep her chickens. 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 support of all adjoining and nearby neighbors, 18 of whom signed a petition stating they do not believe the birds create a nuisance or detrimental impact upon the community. Pet. Ex. 5.

I am mindful of the concern expressed by the DOP, but I am persuaded by the Petitioner's testimony and exhibits to grant the relief. Petitioner is very knowledgeable about chickens, and has registered her flock with the Maryland Department of Agriculture. Pet. Ex. 3. Several photos were submitted which show the coop and environs are well-maintained and clean, and the chickens have plenty of room inside the 6' x 32' enclosure. Pet. Ex. 2. In these circumstances I do not believe granting the petition—subject to the restrictions noted below—would jeopardize the health, safety or welfare of the neighborhood.

THEREFORE, IT IS ORDERED, this 7<sup>th</sup> day of **August, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Sections 100.6 and 400.1 of the Baltimore County Zoning Regulations ("BCZR") to permit existing stabling of chickens on a property of 10,250 sq. ft. in lieu of the minimum required 1 acre, and to permit an

ORDER RECEIVED FOR FILING

Date

8/7/18

By

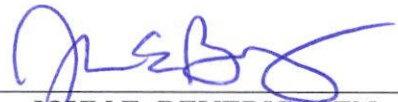
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existing detached accessory structure (chicken coop) with a side yard setback of 0 ft. in lieu of the minimum required 2.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. No roosters may be kept on the property.
3. A maximum of 30 chickens may be kept at 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:slh

ORDER RECEIVED FOR FILING

Date

8/7/18

By

slh





# 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 9606 Dixon Ave which is presently zoned DR 5.5  
Deed References: 37837/00345 10 Digit Tax Account # 0902590240  
Property Owner(s) Printed Name(s) Jacqueline Morris

(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 existing stabling of chickens on a property of 10,250 square feet in lieu of the minimum required 1 acre, and to permit an existing detached accessory structure (chicken coop) with a side yard setback of 0 feet in lieu of the minimum required 2½ feet.

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):

Jacqueline Morris / Name #1 – Type or Print Name #2 – Type or Print

Jacqueline Morris / Signature #1 Signature #2

9606 Dixon Ave Parkville MD / Mailing Address City State

21234 / (443) 904-7086 / jacquelinemorrisphotography@gmail.com / Zip Code Telephone # Email Address

## Representative to be contacted:

Name – Type or Print

Signature

Date Mailing Address City State

BY Zip Code Telephone # Email Address

CASE NUMBER 2018-0352-A Filing Date 6/18/18

Do Not Schedule Dates: Reviewer RD



**ZONING PROPERTY DESCRIPTION FOR**  
**9606 DIXON AVE PARKVILLE, MD 21234**

Beginning at a point on the west side of Dixon which <sup>Ave has a 30'</sup> ~~is 25~~ right of way feet wide at a distance of +/- 180 feet north of the centerline of the nearest improved intersecting street East Joppa Road which is ~~60 right away feet wide.~~

*has a 60-foot right of way*

Being lots number 112-113 in the subdivision of Carney View as recorded in Baltimore County Plat Book Number 7, Folio Number 90, containing 10,250 square feet. Located in the 9th District and 3rd Council District.

## CERTIFICATE OF POSTING

Date: 8-3-18

RE: Case Number: 2018-0352-A RECERT

Petitioner/Developer: Jacqueline Morris

Date of Hearing/Closing: 8-6-18 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 9606 Dixon Ave

The signs(s) were posted on RECERT 8-3-18  
(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 # 2018-0352-A

A PUBLIC HEARING WILL BE HELD BY  
ADMINISTRATIVE LAW JUDGE  
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205  
105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: MONDAY AUGUST 6, 2018 10 AM

REQUEST: VARIANCE TO PERMIT EXISTING STABLING  
OF CHICKENS ON A PROPERTY OF 19,250 SQ. FT. IN LIEU  
OF THE MINIMUM REQUIRED 1 ACRE AND TO PERMIT  
AN EXISTING DETACHED ACCESSORY STRUCTURE  
(CHICKEN COOP) WITH A SIDE YARD SETBACK OF 0 FT.  
IN LIEU OF THE MINIMUM REQUIRED 25 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY  
TO CONFIRM HEARING CALL 571-3391  
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

# ZONING NOTICE

#2

CASE # 2018-0352-A

A PUBLIC HEARING WILL BE HELD BY  
ADMINISTRATIVE LAW JUDGE  
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: MONDAY AUGUST 6, 2018 10AM

REQUEST: VARIANCE TO PERMIT EXISTING STABLING  
OF CHICKENS ON A PROPERTY OF 10,250 SQ. FT. IN LIEU  
OF THE MINIMUM REQUIRED 1 ACRE AND TO PERMIT  
AN EXISTING DETACHED ACCESSORY STRUCTURE  
(CHICKEN COOP) WITH A SIDE YARD SETBACK OF 0 FT. IN  
LIEU OF THE MINIMUM REQUIRED 2.5 FT.

# CERTIFICATE OF POSTING

Date: 8-3-18

RE: Case Number: 2018-0352-A RECERT

Petitioner/Developer: Jacqueline Morris

Date of Hearing/Closing: 8-6-18 10AM

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

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(Telephone Number of Sign Poster)



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(CHICKEN COOP) WITH A SIDEYARD SETBACK OF 0 FT.  
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TO CONFIRM HEARING CALL 887-3391  
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE



# ZONING NOTICE

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AN EXISTING DETACHED ACCESSORY STRUCTURE  
(CHICKEN COOP) WITH A SIDE YARD SETBACK OF 0 FT. IN  
LIEU OF THE MINIMUM REQUIRED 2.5 FT.



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, July 17, 2018 Issue - Jeffersonian

Please forward billing to:  
Jacqueline Morris  
9606 Dixon Avenue  
Parkville, MD 21234

443-904-7086

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## 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: 2018-0352-A**

9606 Dixon Avenue  
W/s Dixon Avenue, north of E. Joppa Road  
9<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Jacqueline Morris

Variance to permit existing stabling of chickens on a property of 10,250 sq. ft. in lieu of the minimum required 1 acre, and to permit an existing detached accessory structure (chicken coop) with a side yard setback of 0 ft. in lieu of the minimum required 2.5 ft.

Hearing: Monday, August 6, 2018 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.

# CERTIFICATE OF POSTING

Date: 8-3-18

RE: Case Number: 2018-0352-A RECERT

Petitioner/Developer: Jacqueline Morris

Date of Hearing/Closing: 8-6-18 10AM

RECEIVED

AUG 03 2018

OFFICE OF  
ADMINISTRATIVE HEARINGS

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 9606 Dixon Ave

The signs(s) were posted on RECERT 8-3-18

(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)



RECEIVED



# ZONING

#2

RECEIVED

ADMINISTRATIVE  
OFFICE OF  
PUBLIC HEARINGS

AUG 10 2018

## NOTICE

CASE # 2018-0352-A

**A PUBLIC HEARING WILL BE HELD BY  
ADMINISTRATIVE LAW JUDGE  
IN TOWSON, MD**

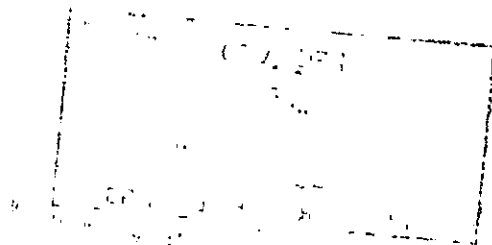
PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE TOWSON 21204

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REQUEST: VARIANCE TO PERMIT EXISTING STABLING  
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OF THE MINIMUM REQUIRED 1 ACRE, AND TO PERMIT  
AN EXISTING DETACHED ACCESSORY STRUCTURE  
(CHICKEN COOP) WITH A SIDE YARD SETBACK OF 0 FT. IN  
LIEU OF THE MINIMUM REQUIRED 2.5 FT.







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CASE # 2018-0352-A

A PUBLIC HEARING WILL BE HELD BY  
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IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205  
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REQUEST: VARIANCE TO PERMIT EXISTING STABLING  
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AN EXISTING DETACHED ACCESSORY STRUCTURE  
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IN LIEU OF THE MINIMUM REQUIRED 2.5 FT.

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



# CERTIFICATE OF POSTING

Date: 7-15-18

RE: Case Number: 2018-0352-A

Petitioner/Developer: J. Morris

Date of Hearing/Closing: 8-6-18 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 9606 Duxon Ave

## ZONING NOTICE

CASE # 2018-0352-A

**A PUBLIC HEARING WILL BE HELD BY**

**ADMINISTRATIVE LAW JUDGE**

**IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205

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IN LIEU OF THE MINIMUM REQUIRED 25 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE NOT UNUSUAL. IT IS NECESSARY TO CONFIRM THE HEARING DATE BY CALLING 410-336-3300.  
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW.





KEVIN KAMENETZ  
County Executive

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

July 6, 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: 2018-0352-A**

9606 Dixon Avenue

W/s Dixon Avenue, north of E. Joppa Road

9<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Jacqueline Morris

Variance to permit existing stabling of chickens on a property of 10,250 sq. ft. in lieu of the minimum required 1 acre, and to permit an existing detached accessory structure (chicken coop) with a side yard setback of 0 ft. in lieu of the minimum required 2.5 ft.

Hearing: Monday, August 6, 2018 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: Jacqueline Morris, 9606 Dixon Avenue, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 17, 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  
Tuesday, July 17, 2018 Issue - Jeffersonian

Please forward billing to:  
Jacqueline Morris  
9606 Dixon Avenue  
Parkville, MD 21234

443-904-7086

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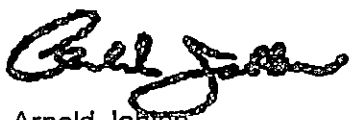
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Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



RE: PETITION FOR VARIANCE \* BEFORE THE OFFICE  
9606 Dixon Avenue; W/S Dixon Avenue, 180' \*  
N of c/line of East Joppa Road \* OF ADMINISTRATIVE  
9<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts \* HEARINGS FOR  
Legal Owner(s): Jacqueline Morris \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2018-352-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

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

RECEIVED

JUN 28 2018

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28<sup>th</sup> day of June, 2018, a copy of the foregoing Entry of Appearance was mailed to Jacqueline Morris, 9606 Dixon Avenue, 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.**

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---

**For Newspaper Advertising:**

Case Number: 2018-0352-A  
Property Address: 9606 Dixon Ave Parkville, MD 21234  
Property Description: west side of Dixon Ave, +/- 180' north of  
East Joppa Rd  
Legal Owners (Petitioners): Jacqueline Morris  
Contract Purchaser/Lessee: \_\_\_\_\_

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Jacqueline Morris  
Company/Firm (if applicable): \_\_\_\_\_  
Address: 9606 Dixon Ave  
Parkville, MD 21234  
\_\_\_\_\_  
Telephone Number: (443) 904-7086

Revised 7/9/2015



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

No. **171753**

Date: **6/18/18**

**PAID RECEIPT**

BUSINESS: ACTUAL TIME: DRW  
 7/19/2018 6/18/2018 11:36:54 3

REG #503 WALKIN CAM  
 RECEIPT # 775498 6/18/2018 DFLN

5-528 ZONING VERIFICATION

CR 171753

Receipt Tot \$75.00

\$75.00 CR \$0.00 CR

Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount  | Dep |
|------|------|------|----------|-----------------|------------------|----------|---------|---------|-----|
| 001  | 806  | 0200 |          | 6150            |                  |          |         | \$75.00 |     |
|      |      |      |          |                 |                  |          |         |         |     |
|      |      |      |          |                 |                  |          |         |         |     |
|      |      |      |          |                 |                  |          |         |         |     |
|      |      |      |          |                 |                  |          |         |         |     |
|      |      |      |          |                 |                  |          |         |         |     |
|      |      |      |          |                 |                  |          |         |         |     |
|      |      |      |          |                 |                  |          |         |         |     |

Total: **\$75.00**

Rec From: **J. Shelby**

For: **zoning hearing - case # 2018-0752-A**

**DISTRIBUTION**

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**



DONALD I. MOHLER III  
*County Executive*

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

July 31, 2018

Jacqueline Morris  
9606 Dixon Avenue  
Parkville MD 21234

RE: Case Number: 2018-0352 A, Address: 9606 Dixon Avenue

Dear Ms. Morris:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 18, 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 black ink, reading "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw  
Enclosures

c: People's Counsel



Date: 6/27/18

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

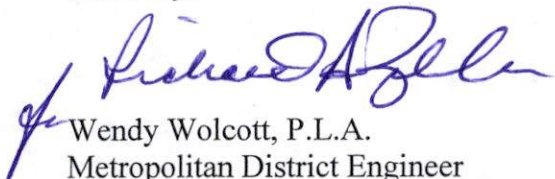
Dear Ms. Lewis:

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. 2018-0352-A

Variance  
Jacqueline Morris  
9606 Dixon Avenue

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**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** July 18, 2018

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For July 02, 2018  
Item No. 2018-0352-A, 0353, 0355-A, 0356-A, 0357-A, 0358-SPHA and  
0360-A

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

\*

\*

\*

\*

\*

VKD: cen  
cc: file



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

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

**DATE:** 7/10/2018

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 18-352

**INFORMATION:**

**Property Address:** 9606 Dixon Avenue  
**Petitioner:** Jacqueline Morris  
**Zoning:** DR 5.5  
**Requested Action:** Variance

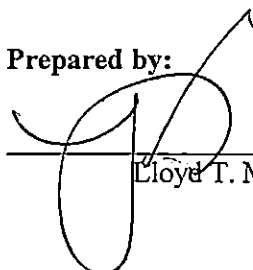
The Department of Planning has reviewed the petition for variance to permit the existing stabling of chickens on a property of 10,250 square feet in lieu of the minimum required 1 acre, and to permit an existing detached accessory structure (chicken coop) with a side yard setback of 0 feet in lieu of the minimum required 2½ feet.

The property is the subject of Code Enforcement Case# CC1806155.

The Department of Planning objects to granting the petitioned zoning relief. The area proposed in support of the stabling of chickens represents less than 25% of the required area for this accessory use. The Department recommends this insufficient area coupled with a 0' setback precludes the proposed use from integrating successfully within the community.

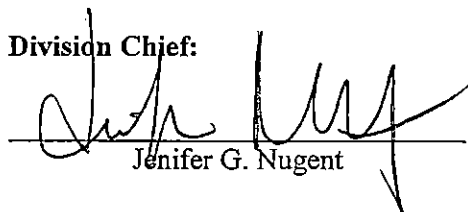
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/JGN/LTM/

**Division Chief:**

  
\_\_\_\_\_  
Jenifer G. Nugent

c: Krystle Patchak  
Jacqueline Morris  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

8-6

## 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: 18-352



**INFORMATION:**

**Property Address:** 9606 Dixon Avenue  
**Petitioner:** Jacqueline Morris  
**Zoning:** DR 5.5  
**Requested Action:** Variance

The Department of Planning has reviewed the petition for variance to permit the existing stabling of chickens on a property of 10,250 square feet in lieu of the minimum required 1 acre, and to permit an existing detached accessory structure (chicken coop) with a side yard setback of 0 feet in lieu of the minimum required 2½ feet.

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

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/JGN/LTM/

**Division Chief:**

  
\_\_\_\_\_  
Jenifer G. Nugent

c: Krystle Patchak  
Jacqueline Morris  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



RECEIVED

**JUL 05 2018**

OFFICE OF  
ADMINISTRATIVE HEARINGS

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: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0352-A  
Address 9606 Dixon Avenue  
(Morris Property)

Zoning Advisory Committee Meeting of **July 2, 2018**.

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

Reviewer: Steve Ford



**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: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0352-A  
Address 9606 Dixon Avenue  
(Morris Property)

Zoning Advisory Committee Meeting of **July 2, 2018**.

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

Reviewer: Steve Ford

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

7/18

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

NO COMMENT

7/5

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

NO COMMENT

FIRE DEPARTMENT

7/10

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

Objects

6/27

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. CC 1806155)

PRIOR ZONING

(Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT

Date:

See Kristens Email

SIGN POSTING (1<sup>st</sup>)

Date:

7/15/18

by

Pulson

SIGN POSTING (2<sup>nd</sup>)

Date:

8/3/18

by

Pulson

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 |                       |                  |                     |
|-----------------------------------|----------|-------------------------|-------------------------------------------|------------------------|------------------|------------------------------|-----------------------|------------------|---------------------|
| Tax Exempt:                       |          |                         | Special Tax Recapture:                    |                        |                  |                              |                       |                  |                     |
| Exempt Class:                     |          |                         | NONE                                      |                        |                  |                              |                       |                  |                     |
| Account Identifier:               |          |                         | District - 09 Account Number - 0902570240 |                        |                  |                              |                       |                  |                     |
| Owner Information                 |          |                         |                                           |                        |                  |                              |                       |                  |                     |
| Owner Name:                       |          |                         | SHELBY JACQUELINE                         |                        |                  | Use:                         |                       | RESIDENTIAL      |                     |
| Mailing Address:                  |          |                         | 9606 DIXON AVE<br>BALTIMORE MD 21234-2102 |                        |                  | Principal Residence:         |                       | YES              |                     |
|                                   |          |                         |                                           |                        |                  | Deed Reference:              |                       | /37837/ 00345    |                     |
| Location & Structure Information  |          |                         |                                           |                        |                  |                              |                       |                  |                     |
| Premises Address:                 |          |                         | 9606 DIXON AVE<br>BALTIMORE 21234-2102    |                        |                  | Legal Description:           |                       | LT 112-113       |                     |
| CARNEY VIEW                       |          |                         |                                           |                        |                  |                              |                       |                  |                     |
| Map:                              | Grid:    | Parcel:                 | Sub District:                             | Subdivision:           | Section:         | Block:                       | Lot:                  | Assessment Year: | Plat No:            |
| 0071                              | 0015     | 1112                    |                                           | 0000                   |                  |                              | 112                   | 2017             | Plat Ref: 0007/0090 |
| Special Tax Areas:                |          |                         |                                           | Town:                  |                  |                              | NONE                  |                  |                     |
|                                   |          |                         |                                           | Ad Valorem:            |                  |                              |                       |                  |                     |
|                                   |          |                         |                                           | Tax Class:             |                  |                              |                       |                  |                     |
| Primary Structure Built           |          | Above Grade Living Area |                                           | Finished Basement Area |                  | Property Land Area           |                       | County Use       |                     |
| 1930                              |          | 1,096 SF                |                                           |                        |                  | 10,250 SF                    |                       | 04               |                     |
| Stories                           | Basement | Type                    | Exterior                                  |                        | Full/Half Bath   | Garage                       | Last Major Renovation |                  |                     |
| 2                                 | YES      | STANDARD UNIT           | ASBESTOS SHINGLE                          |                        | 2 full           |                              |                       |                  |                     |
| Value Information                 |          |                         |                                           |                        |                  |                              |                       |                  |                     |
|                                   |          |                         | Base Value                                |                        | Value            |                              | Phase-in Assessments  |                  |                     |
|                                   |          |                         |                                           |                        | As of 01/01/2017 |                              | As of 07/01/2017      |                  | As of 07/01/2018    |
| Land:                             |          |                         | 63,700                                    |                        | 63,700           |                              |                       |                  |                     |
| Improvements                      |          |                         | 81,400                                    |                        | 87,400           |                              |                       |                  |                     |
| Total:                            |          |                         | 145,100                                   |                        | 151,100          |                              | 147,100               |                  | 149,100             |
| Preferential Land:                |          |                         | 0                                         |                        |                  |                              |                       |                  | 0                   |
| Transfer Information              |          |                         |                                           |                        |                  |                              |                       |                  |                     |
| Seller: 9606 DIXON AVE LLC        |          |                         |                                           | Date: 08/04/2016       |                  |                              | Price: \$142,000      |                  |                     |
| Type: NON-ARMS LENGTH OTHER       |          |                         |                                           | Deed1: /37837/ 00345   |                  |                              | Deed2:                |                  |                     |
| Seller: KENT JAMES R              |          |                         |                                           | Date: 03/30/2016       |                  |                              | Price: \$93,000       |                  |                     |
| Type: NON-ARMS LENGTH OTHER       |          |                         |                                           | Deed1: /37338/ 00276   |                  |                              | Deed2:                |                  |                     |
| Seller: BOWEN LILLIAN M           |          |                         |                                           | Date: 01/20/1988       |                  |                              | Price: \$0            |                  |                     |
| Type: NON-ARMS LENGTH OTHER       |          |                         |                                           | Deed1: /07773/ 00581   |                  |                              | 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:** No Application

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Homeowners' Tax Credit Application Information

---

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

**Date:**

---

## Sherry Nuffer

---

**From:** PAI Zoning Fax  
**Sent:** Monday, July 30, 2018 11:11 AM  
**To:** Sherry Nuffer  
**Subject:** FW: Advertisement request  
**Attachments:** 20180706103156512.pdf

2<sup>nd</sup> set

*Kristen Lewis*  
PAI – Zoning Review  
410-887-3391

**From:** PAI Zoning Fax  
**Sent:** Friday, July 06, 2018 10:32 AM  
**To:** Jeffersonian (Business Fax)\_ <"fax=/NUM=4103326446/NAME=Jeffersonian/COVER=Default"@fax.baltimorecountymd.gov>  
**Subject:** Advertisement request

Please publish accordingly. Thank you,

*Kristen Lewis*  
PAI – Zoning Review  
410-887-3391

Case No.:

2018-352-A

Exhibit Sheet

Petitioner/Developer

DW  
9-1-18

Protestant

slw  
8-7-18

|        |                                 |  |
|--------|---------------------------------|--|
| No. 1  | Plan                            |  |
| No. 2  | Photos                          |  |
| No. 3  | Poultry Registration            |  |
| No. 4  | Letter from Rita Winicki        |  |
| No. 5  | Petition signed by<br>neighbors |  |
| No. 6  | Zoning map                      |  |
| No. 7  |                                 |  |
| No. 8  |                                 |  |
| No. 9  |                                 |  |
| No. 10 |                                 |  |
| No. 11 |                                 |  |
| No. 12 |                                 |  |



2. *Staphylococcus aureus*

1940

1. 1.

2000

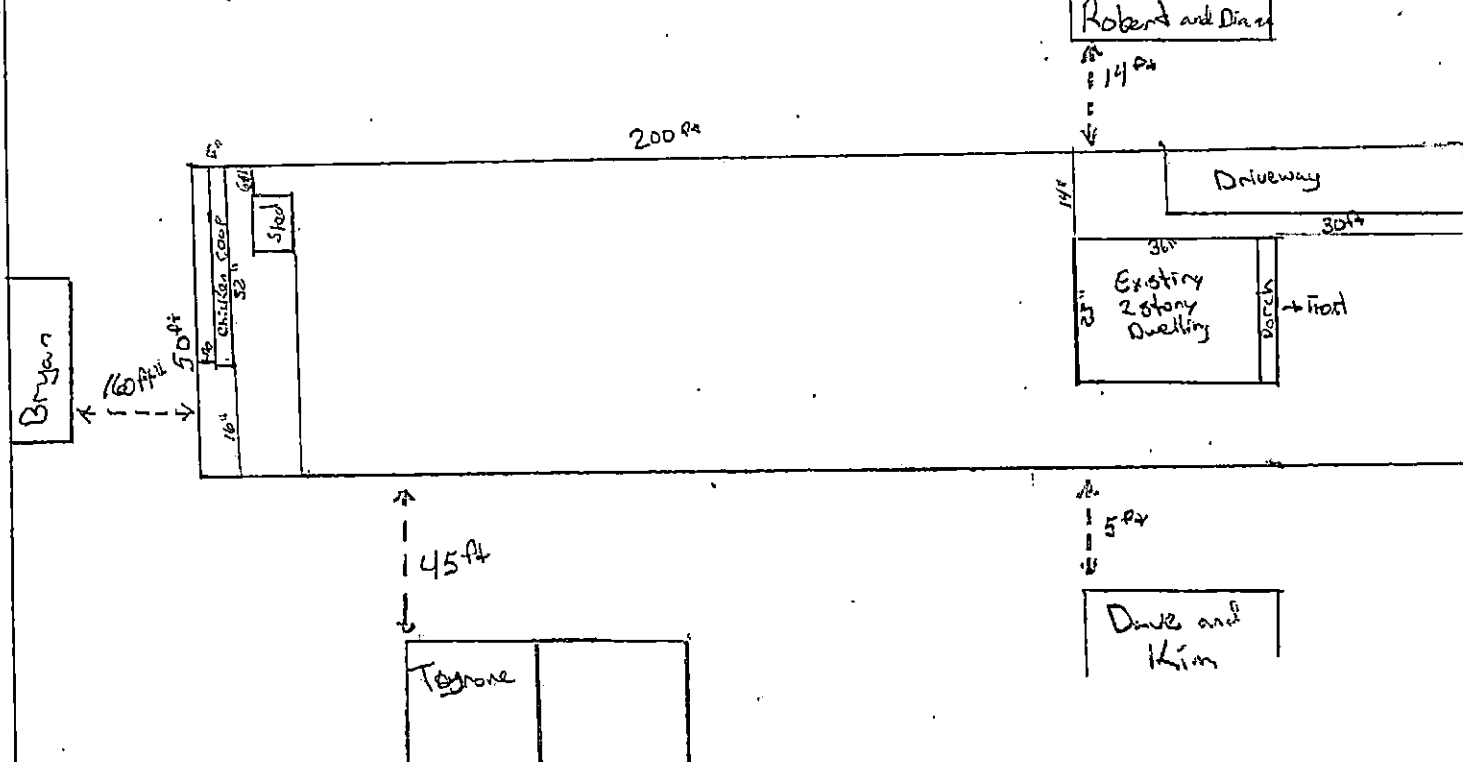
1948

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

ADDRESS 9606 Dixon Ave OWNER(S) NAME(S) Jacqueline S. Morris

SUBDIVISION NAME Carney View LOT # 112-113 BLOCK # N/A SECTION # N/A

PLAT BOOK # 7 FOLIO # 40 10 DIGIT TAX # 2902570240 DEED REF. # 37837/02345



PLAN DRAWN BY Connor Knox

DATE June 18 2018 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP# 2112

SITE ZONED DR 5.5

ELECTION DISTRICT 9th

COUNCIL DISTRICT 3rd

LOT AREA ACREAGE .235

OR SQUARE FEET 10,250

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

CC1806155

Citation Code Enforcement

Court scheduled for 06/20/18

VIOLATION CASE INFO:

CC1806155

PET. # 1



**MARYLAND DEPARTMENT OF AGRICULTURE  
ANIMAL HEALTH SECTION**

50 Harry S. Truman Parkway, Annapolis, Maryland 21401  
[http://www.mda.state.md.us/animal\\_health/](http://www.mda.state.md.us/animal_health/)

**DOMESTIC POULTRY PREMISES REGISTRATION**

**Connor D Knox  
9606 Dixon Ave  
Parkville, MD 21234**

**POULTRY PREMISES NUMBER  
18BA5105**

This Poultry Premises Registration Number is assigned to the property and not the property owner. In the case of sales or changes of ownership, please contact the Maryland Department of Agriculture's Animal Health Section. Please update the department of any changes to your flock including number, type and purpose of your flock.

*Joseph Bartusfelner*  
Secretary of Agriculture

MDA-E14C (Rev. 1/2015)

**THANK YOU**

**REGISTERING HELPS PROTECT OUR POULTRY INDUSTRY**

Cut, fold and insert in holder

|                                                                                                       |                     |
|-------------------------------------------------------------------------------------------------------|---------------------|
| Maryland Department of Agriculture<br>Animal Health Section<br>Domestic Poultry Premises Registration |                     |
| Connor D Knox                                                                                         |                     |
| Name:                                                                                                 | 9606 Dixon Ave      |
| Property Add:                                                                                         | Parkville, MD 21234 |
|                                                                                                       | 18BA5105            |
| Permit Number:                                                                                        |                     |
| Please notify the Maryland Department of Agriculture of any changes to the flock status. Thank You.   |                     |

PET. No. 3



## 9606 Dixon Ave - Residential Chicken Pettition

Within Baltimore County, Maryland the current county ordinance that we want to change states: B.C.Z.R 100.6: Fowl or Poultry: Chickens, ducks, turkeys, geese, pigeons No numerical limit, provided that a nuisance is not created or allowed to exist on the property. With the minimum acreage of 1 acre.

The Federal Agriculture Organization of the United Nations (FOA) states you need 3.6 feet squared per bird which would be 144 feet squared for my 40 birds.

I propose the minimum acreage of 1 acre be taken off the code and replaced with: 1. Chicken owners must register their flock with the Maryland Department of Agriculture, Domenstic Poultry and Exotic Birds. 2. Pens must provide 3.6 feet squared per bird, and be more than 25 feet from any residence.

We have Registered our flock with the Department of Agriculture, our ducks on property have been registered with the Department of Natural Resources to ensure not only the safety of our pets, but to also be notified immediatly upon any threat of disease or problems. Currently our coup is about 180 feet squared, sits at least 15 feet away from surrounding property lines, and sits in our backyard behind our shed; 36 feet away from our 80 foot planting bed, which is approximately 130 feet away from our home. With our coup being 180 square feet, we have about 4 feet squared per bird.

By signing this petition, I hereby agree to the amendment of County Ordinance B.C.Z.R 100.6 to the above mentioned proposal and hereby agree that the chickens residing at 9606 Dixon Ave Parkville, MD 21234 do not create a nuisance to the individual surrounding properties.

| Name           | Address                        | Telephone    |
|----------------|--------------------------------|--------------|
| Rita Winiecki  | 9607 Dixon Ave<br>21234        | 443-253-7992 |
| Sean Antia     | 9615 Dixon Ave 21234           | 408-838-8342 |
| Daniel Delma   | 9610 Dixon Ave 21234           | 443 7401629  |
| Brian Doyle    | 9614 Dixon Ave 21234           | 443-600-3579 |
| CAROL Bocchini | 9618 Dixon Ave 21234           | 443-964-4411 |
| Merle Vogel    | 9624 Dixon Ave. 21234          | 410-661-3184 |
| CLIFF Parry    | 9626 Dixon Ave, 21234          | 410-458-9154 |
| Jennifer Wynne | 9636 Dixon Ave Balto, MD 21234 | 443-834-2733 |

PET. No. 5

## 9606 Dixon Ave - Residential Chicken Pettition

Within Baltimore County, Maryland the current county ordinance that we want to change states: B.C.Z.R 100.6: Fowl or Poultry: Chickens, ducks, turkeys, geese, pigeons No numerical limit, provided that a nuisance is not created or allowed to exist on the property. With the minimum acreage of 1 acre.

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We have Registered our flock with the Department of Agriculture, our ducks on property have been registered with the Department of Natural Resources to ensure not only the safety of our pets, but to also be notified immediatly upon any threat of disease or problems. Currently our coup is about 180 feet squared, sits at least 15 feet away from surrounding property lines, and sits in our backyard behind our shed; 36 feet away from our 80 foot planting bed, which is approximately 130 feet away from our home. With our coup being 180 square feet, we have about 4 feet squared per bird.

By signing this petition, I hereby agree to the amendment of County Ordinance B.C.Z.R 100.6 to the above mentioned proposal and hereby agree that the chickens residing at 9606 Dixon Ave Parkville, MD 21234 do not create a nuisance to the individual surrounding properties.

| Name             | Address        | Telephone    |
|------------------|----------------|--------------|
| Jim Metzger      | 9662 Dixon Ave | 410 882-6891 |
| Mike Smith       | 2810 Jonat Ave | 410-462-9422 |
| Evangelina Lorde | 2812 Jonat Ave | 410-665-1337 |
| Sheila Rantz     | 9611 Dixon Ave | 443-386-3778 |
| Mark Jannary     | 9622 Dixon Ave | 443-377-2206 |
| Kin Schaefer     | 9604 Dixon Ave | 415-610-9898 |
| Robert Phillips  | 9608 Dixon Ave | 410 900-7446 |
| Dianne Phillips  | 9608 Dixon Ave | 443 839-4487 |

## 9606 Dixon Ave - Residential Chicken Pettition

Within Baltimore County, Maryland the current county ordinance that we want to change states: **B.C.Z.R 100.6: Fowl or Poultry: Chickens, ducks, turkeys, geese, pigeons** No numerical limit, provided that a nuisance is not created or allowed to exist on the property. With the minimum acreage of 1 acre.

The Federal Agriculture Organization of the United Nations (FOA) states you need 3.6 feet squared per bird which would be 144 feet squared for my 40 birds.

I propose the minimum acreage of 1 acre be taken off the code and replaced with: 1. Chicken owners must register their flock with the Maryland Department of Agriculture, Domestic Poultry and Exotic Birds. 2. Pens must provide 3.6 feet squared per bird, and be more than 25 feet from any residence.

We have Registered our flock with the Department of Agriculture, our ducks on property have been registered with the Department of Natural Resources to ensure not only the safety of our pets, but to also be notified immediately upon any threat of disease or problems. Currently our coup is about 180 feet squared, sits at least 15 feet away from surrounding property lines, and sits in our backyard behind our shed; 36 feet away from our 80 foot planting bed, which is approximately 130 feet away from our home. With our coup being 180 square feet, we have about 4 feet squared per bird.

By signing this petition, I hereby agree to the amendment of **County Ordinance B.C.Z.R 100.6** to the above mentioned proposal and hereby agree that the chickens residing at 9606 Dixon Ave Parkville, MD 21234 do not create a nuisance to the individual surrounding properties.

[illegible]



# INVESTIGATION REPORT

## ANIMAL SERVICES DIVISION

410-887-PAWS (7297)

ACCMP-2018-03799

| COMPLAINANT                                       | DEFENDANT                                    |
|---------------------------------------------------|----------------------------------------------|
| Name: Susan Lassiter                              | Name: Resident Unknown                       |
| Address: 9607 Harding Avenue Baltimore MD 21234   | Address: 9606 Dixon Ave Parkville MD 21234   |
| Phone: 4104568680                                 | Phone:                                       |
| Directions:                                       | Directions:                                  |
| Complaint Location: 9606 Dixon Parkville MD 21234 |                                              |
| Complaint Received By: BALTCOGO                   | Date/Time of Complaint: June 1, 2018 9:40 am |

### Nature of Complaint(s)

| Type of Complaint      | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Other animal complaint | <p>2nd step 6/12- 43+ chickens still causing disturbances every day starting at 4:30 AM.</p> <p>I entered a complaint (#21216) on 5/29/18 about the neighbor behind me having many chickens and roosters that wake us up every day. I see the complaint has been closed, but as of today (6/1/18) we are still hearing crowing from their chicken coop, which I know is illegal in Baltimore County if you don't have at least an acre of land. I was wondering what action, if any was taken. These chickens are a nuisance and a health concern!</p> |

### Description of Animal:

|               |         |
|---------------|---------|
| Type          | Other   |
| Primary Breed | Chicken |
| Primary Color | UNKNOWN |

### FINDINGS

INVESTIGATED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

ACTION:

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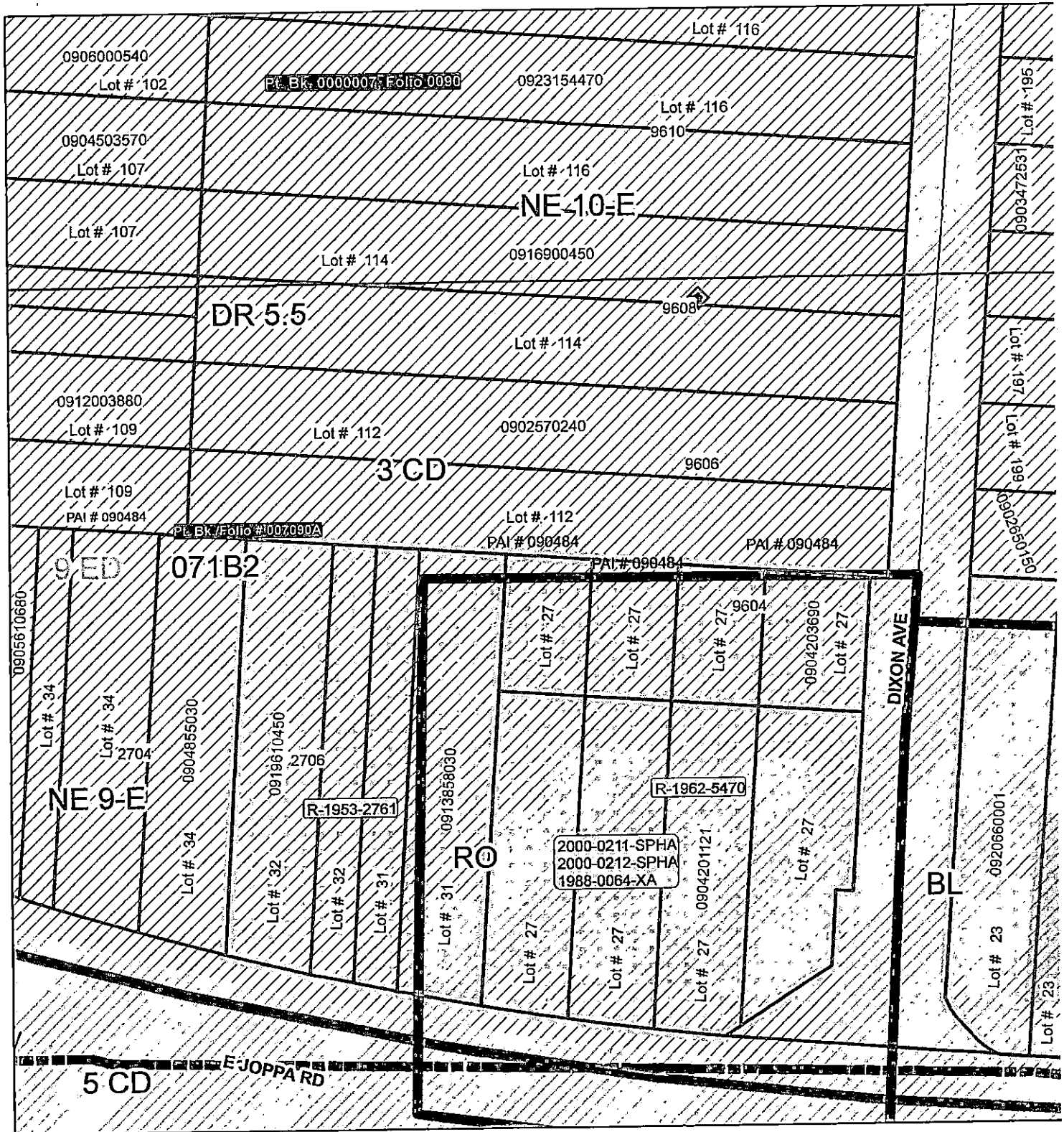
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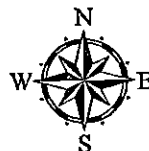
# 9606 Dixon Avenue



Publication Date: 6/1/2018



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



0 10 20 40 60 80 Feet

1 inch = 40 feet

PET. No. 6

*Rita Winiecki*

*9607 Dixon Avenue  
Baltimore, MD 21234*

Monday, July 23, 2018

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

Dear Mr. Richards,

I am contacting you on behalf of my Ms. Jacqueline Shelby and my neighbors at 9606 Dixon Avenue, 21234. They have applied for a variance to allow them to raise egg laying chickens on their property.

I would like to voice my support of granting the requested variance for this purpose. I support their efforts of being rural farmers and have found their work in this area very interesting. I believe they will take proper care of their birds and maintain their property to keep it in compliance with Baltimore County Code if they are given a chance. They are new to this venture and are still learning however I believe they will be successful in this venture and should be given the chance to make the effort.

Please feel free to contact me directly if you would like more information from me or if you have any additional questions about my support. I can be reached at 443-253-7992 or email at [ritawiniecki@verizon.net](mailto:ritawiniecki@verizon.net).

Thank you for your time and attention to my support.

Sincerely,

  
Rita C. Winiecki



WILDLIFE AND HERITAGE SERVICE  
PERMIT/LICENSE

Effective:  
06/14/2018

**GAME HUSBANDRY**

Expires:  
12/31/2018

PERMIT #: 57070

Home Phone: 443-904-7086

Connor Knox  
9606 Dixon Avenue  
BALTIMORE, MD 21234

County of Residence:  
Baltimore

Location:

Authority Statute(s): ACM 10-905  
Regulation(s): COMAR 08.03.09.04

**GENERAL CONDITIONS**

Conditions in state law and regulations cited above, are hereby made a part of this permit/license. All activities authorized herein must be carried out in accord with and for the purposes described in the application submitted. Continued validity, or renewal, of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

The validity of this permit is also conditioned upon strict observance of all applicable federal, local or other state laws.

Other species shall not be acquired without first obtaining written authorization from the Wildlife Division.

Species are not to be released without prior written approval from the Permits Coordinator.

A Federal Waterfowl Sale and Disposal Permit is required when acquiring or disposing of any waterfowl other than mallard ducks.

All activity under this permit shall be so indicated on the reporting forms within 48 hours of that activity.

**SPECIAL CONDITIONS**

The following properly marked, captive-raised species are permitted to be raised: Mallard Ducks

**REPORTING CONDITIONS**

Reporting forms shall be kept current and returned at time of renewal.

ISSUED BY: Connie Roberts

PERMITS COORDINATOR

ISSUED: 06/14/2018





Connor Knox &lt;whitewolfwinery@gmail.com&gt;

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**Poultry Premises Registration**

2 messages

**AnimalHealth -MDA-** <animalhealth.mda@maryland.gov>

Thu, May 31, 2018 at 3:39 PM

To: whitewolfwinery@gmail.com

Hello Connor and Jacqueline,  
Your MD poultry premises registration ID is: **18BA5105**  
I wish you all the best!

Regards,  
Della M. Penn  
Admin Specialist II  
MDA/Animal Health  
(p) 410-841-5810  
(f) 410-841-5999  
animalhealth.mda@maryland.gov

--



**CHANGING**  
**Maryland**  
*for the Better*

**Maryland Department of Agriculture**  
**Animal Health Program**  
50 Harry S. Truman Parkway  
Annapolis, MD 21401  
410-841-5810 – phone  
410-841-5999 - fax

Visit Our Website at: [www.mda.maryland.gov](http://www.mda.maryland.gov)

Click here to complete a three question customer experience survey.

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Click here to complete a three question customer experience survey.

## 9606 Dixon Ave - Residential Chicken Pettition

Within Baltimore County, Maryland the current county ordinance that we want to change states: **B.C.Z.R 100.6:**  
Fowl or Poultry: Chickens, ducks, turkeys, geese, pigeons No numerical limit, provided that a nuisance is not created or allowed to exist on the property. With the minimum acreage of 1 acre.

The **Federal Agriculture Organization of the United Nations (FOA)** states you need 3.6 feet squared per bird which would be 144 feet squared for my 40 birds.

I propose the minimum acreage of 1 acre be taken off the code and replaced with: 1. Chicken owners must register their flock with the Maryland Department of Agriculture, Domenstic Poultry and Exotic Birds. 2. Pens must provide 3.6 feet squared per bird, and be more than 25 feet from any residence.

We have Registered our flock with the Department of Agriculture, our ducks on property have been registered with the Department of Natural Resources to ensure not only the safety of our pets, but to also be notified immediatly upon any threat of disease or problems. Currently our coup is about 180 feet squared, sits at least 15 feet away from surrounding property lines, and sits in our backyard behind our shed; 36 feet away from our 80 foot planting bed, which is approximately 130 feet away from our home. With our coup being 180 square feet, we have about 4 feet squared per bird.

By signing this petition, I hereby agree to the amendment of **County Ordinance B.C.Z.R 100.6** to the above mentioned proposal and hereby agree that the chickens residing at 9606 Dixon Ave Parkville, MD 21234 do not create a nuisance to the individual surrounding properties.

| Name           | Address                        | Telephone    |
|----------------|--------------------------------|--------------|
| Rita Winiecki  | 9607 Dixon Ave<br>21234        | 443-253-7992 |
| Sean Antia     | 9615 Dixon Ave 21234           | 408-838-8342 |
| Daniel DePalma | 9610 Dixon Ave 21234           | 443 7401629  |
| Brian Doyle    | 9614 Dixon Ave 21234           | 443-600-3579 |
| CAROL Bocchini | 9618 Dixon Ave 21234           | 443-964-4411 |
| Merle Vogel    | 9624 Dixon Ave. 21234          | 410-661-3184 |
| CLIFF Parry    | 9626 Dixon Ave, 21234          | 410-458-9154 |
| Jennifer Wynne | 9636 Dixon Ave Balto, MD 21234 | 443-834-2733 |

Item #0352



## 9606 Dixon Ave - Residential Chicken Pettition

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| Name             | Address        | Telephone    |
|------------------|----------------|--------------|
| Jim Metzger      | 9602 Dixon Ave | 410 852 0851 |
| Mike Smith       | 2810 Jonat Ave | 410-462-9422 |
| Evangelina Loida | 2812 Jonat Ave | 410-665-1337 |
| Sheila Antz      | 9611 Dixon Ave | 443-386-3778 |
| Mark January     | 9622 Dixon Ave | 443-377-2206 |
| Kin Schaw        | 9604 Dixon Ave | 415-610-9898 |
| Robert Phillips  | 9608 Dixon Ave | 410 900-7446 |
| Dianne Phillips  | 9608 Dixon Ave | 443 839-4487 |

Item #0352



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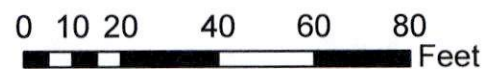
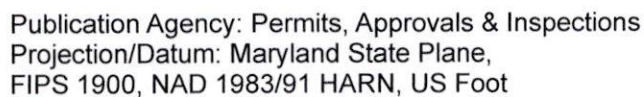
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| Name          | Address        | Telephone    |
|---------------|----------------|--------------|
| April Reckord | 9617 Dixon Ave | 4438044439   |
| Jeff Burke    | 9620 Dixon Ave | 410-236-9911 |
|               |                |              |
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Item #0352



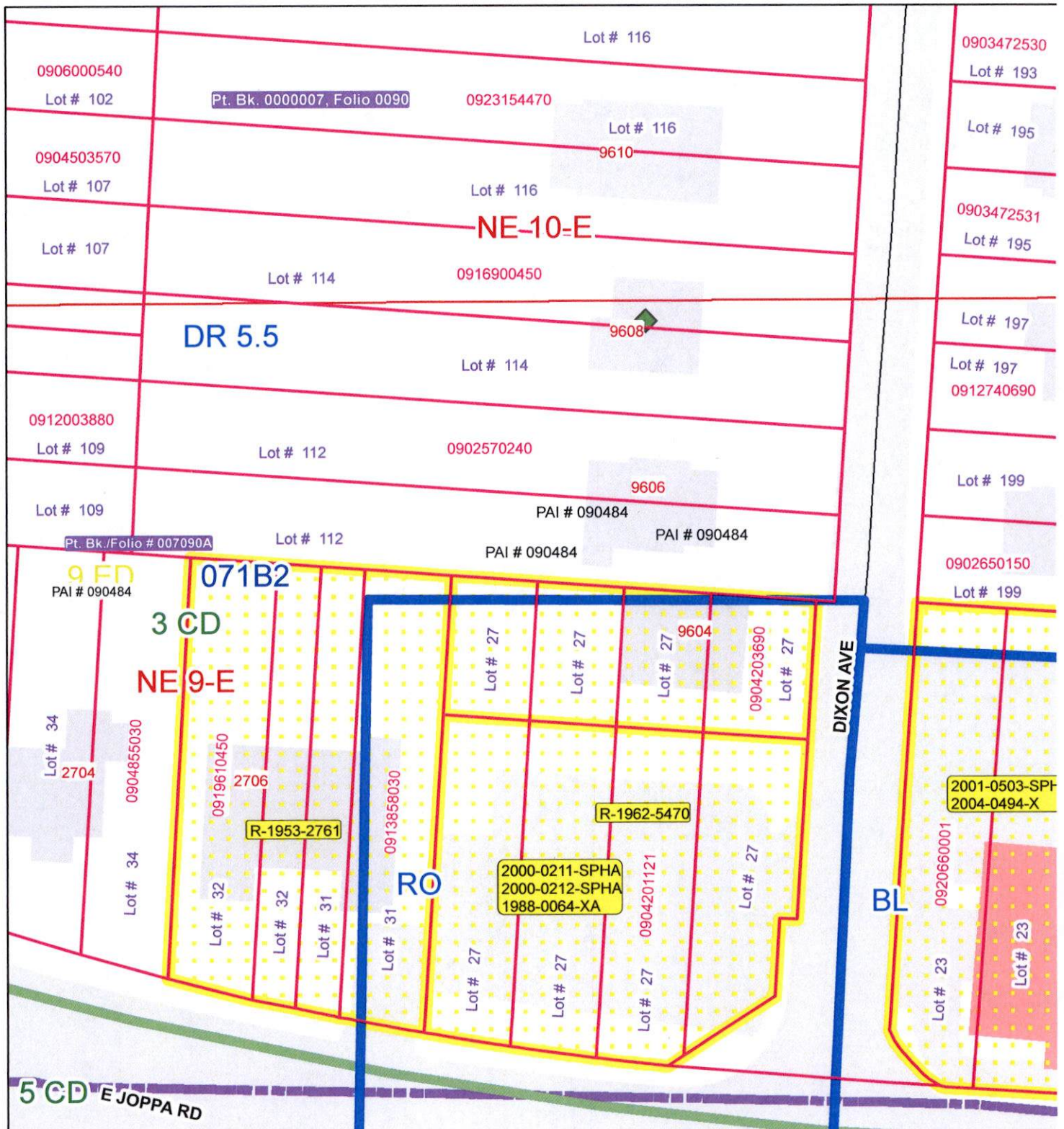
9606 Dixon Avenue



Item #0352



# 9606 Dixon Avenue



Publication Date: 6/18/2018



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



0 10 20 40 60 80 Feet

1 inch = 40 feet

Item #0352

R.D.

CC 1806155



CC1806155

CC 1806155









PET. No. 2