

IN THE MATTER OF	*	BEFORE THE
CHRISTOPHER AND JESSICA HUGHES	*	BOARD OF APPEALS
PETITIONERS AND LEGAL OWNERS	*	OF
OF THE PROPERTY LOCATED AT	*	BALTIMORE COUNTY
713 HOLLOW ROAD	*	CASE NO: 21-054-A
1 st ELECTION DISTRICT		
1 st COUNCIL DISTRICT		

* * * * *

OPINION

This matter comes before the Baltimore County Board of Appeals ("Board") as an appeal from the April 7, 2021 order of the Administrative Law Judge denying ("Petitioners"), Christopher J. and Jessica L. Hughes' request variance relief from §100.6 of the Baltimore County Zoning regulations. ("BCZR"), to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. or one-acre minimum lot size.

A hearing was held before this board via Webex on August 31, 2021. Petitioner, Jessica L Hughes appeared *pro se*. Prior to the hearing before this board, a telephone call was received from Protestant, Shirley McGonigle, stating that she was opposed to the requested relief but would not be attending the hearing. Though the phone call is noted for the record, contents of this call are not considered as evidence for this Board to consider. A public deliberation was held via Webex on September 23, 2021.

Petitioner, Jessica Hughes provided testimony regarding why her family was interested in raising chickens on the property and provided the Board with several articles in an effort to dispel misconceptions regarding noise, smell, disease, and rodent control in conjunction with raising chickens on a residential property. Ms. Hughes also testified that her property was unique in its topography in that the area where the chickens would be housed is shielded by trees from adjacent neighbors. (CBA Petitioners Exhibits F-L).

As enunciated under Baltimore County Zoning Regulations (BCZR) § 307 and Maryland common law, in order to be entitled to variance release, the Petitioners must satisfy a two-step analysis summarized as follows:

- (1) it must be shown that the property is unique in a manner which makes it unlike surrounding properties and that the uniqueness or peculiarity is what necessitates the requested relief, and.
- (2) if a variance relief is denied, petitioner will experience practical difficulty or hardship. *Cromwell v. Ward*, 102. Md. App. 691, 699 (1995).

Finally, “unless there is a finding that the property is unique, unusual, or different, the process stops here and the variance is denied without any consideration of practical difficulty or unreasonable hardship.” *Mueller v. Peoples Counsel for Baltimore County*, 177 Md. App. 71 (2007).

While Ms. Hughes testified that the property at issue as having “unique” characteristics, no evidence was submitted that this “uniqueness” was the catalyst for the relief requested. Conversely, Ms. Hughes testified that the “unique” topography of the property allowed the chickens to be located in an area on the property that is shielded from adjacent neighbors. Unfortunately, this is not the type of “uniqueness” contemplated in the *Cromwell* analysis. While Ms. Hughes provided a compelling case as to the benefits of raising chickens on her property, the Board is bound by the statutory and common law requirements for the granting of such variances. The testimony before this Board failed to meet the first prong of the *Cromwell* analysis as to uniqueness. Consequently, this Board is not required to consider the second prong regarding practical difficulty. Despite Ms. Hughes’ cogent advocacy for the benefits of raising chickens on her property, zoning regulations require a full acre for such activity, thus her request must be denied.

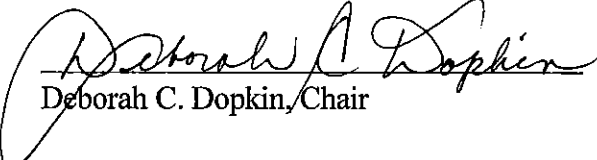
ORDER

THEREFORE, IT IS THIS 9th day of December, 2021 by the Board of Appeals
of Baltimore County

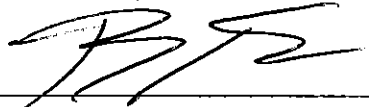
ORDERED, that the Petition for Variance from § 100.6 of the Baltimore County Zoning regulations ("BCZR") to permit the housing of chickens for non-commercial use on the residential lot that is 32,512 sq. ft. in lieu of the required 43,560 sq. ft. (one-acre) minimum lot size being here is hereby **DENIED**.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Deborah C. Dopkin, Chair


Andrew M. Belt


Bryan T. Pennington



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 9, 2021

Christopher and Jessica Hughes
713 Hollow Road
Ellicott City, Maryland 21043

RE: In the Matter of: *Christopher and Jessica Hughes*
Case No.: 21-054-A

Dear Mr. and Mrs. Hughes:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington Hay".

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure

c: Shirley McMonigle
Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
James R. Benjamin, Jr., County Attorney/Office of Law



Board of Appeals of Baltimore County

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September 30, 2021

NOTICE OF POSTPONEMENT AND REASSIGNMENT OF PUBLIC DELIBERATION

IN THE MATTER OF: Christopher J. & Jessica L. Hughes
713 Hollow Road
21-054-A 1st Election District; 1st Council District

Re: Petition for Administrative Variance requesting Variance relief from § 100.6 of the BCZR to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size.

4/7/21 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance was DENIED.

This matter having been heard and concluded on August 31, 2021, a public deliberation was assigned for September 23, 2021. The September 23, 2021 public deliberation was cancelled by the Board due to a family emergency and has been

REASSIGNED FOR: OCTOBER 28, 2021, AT 9:00 A.M.

The above scheduled public deliberation will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the public deliberation will be posted on our web calendar the night before at www.baltimorecountymd.gov/departments/appeals.**

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. A WRITTEN OPINION AND ORDER WILL BE ISSUED BY THE BOARD WITHIN A REASONABLE TIMEFRAME AFTER DELIBERATION AND A COPY SENT TO ALL PARTIES.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled deliberation.

Krysundra Cannington, Administrator

c. Petitioners/Appellants, *pro se*

: Christopher and Jessica Hughes

Protestant, *pro se*

: Shirley McMonigle

Paul M. Mayhew, Managing Administrative Law Judge
C. Pete Gutwald, Director/PAI
Nancy C. West, Assistant County Attorney

Steve Lafferty, Director/Department of Planning
James R. Benjamin, Jr., County Attorney



Board of Appeals of Baltimore County

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TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 3, 2021

NOTICE OF DELIBERATION

IN THE MATTER OF: Christopher J. & Jessica L. Hughes
713 Hollow Road
21-054-A 1st Election District; 1st Council District

Re: Petition for Administrative Variance requesting Variance relief from § 100.6 of the BCZR to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size.

4/7/21 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance was DENIED.

This matter having been heard and concluded on August 31, 2021, a public deliberation has been

ASSIGNED FOR: SEPTEMBER 23, 2021, AT 9:00 A.M.

The above scheduled public deliberation will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the public deliberation will be posted on our web calendar the night before at www.baltimorecountymd.gov/departments/appeals.**

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. A WRITTEN OPINION AND ORDER WILL BE ISSUED BY THE BOARD WITHIN A REASONABLE TIMEFRAME AFTER DELIBERATION AND A COPY SENT TO ALL PARTIES.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled deliberation.

Krysundra Cannington, Administrator

c. Petitioners/Appellants, *pro se* : Christopher and Jessica Hughes
Protestant, *pro se* : Shirley McMonigle

Paul M. Mayhew, Managing Administrative Law Judge
Steve Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney
Nancy C. West, Assistant County Attorney

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

Phone: 410-887-3180

Fax: 410-887-3182

To: File

From: Tammy Zahner, Legal Secretary



Date: July 26, 2021

Re: In the Matter of: *Christopher and Jessica Hughes*
Case No.: 21-054-A

Shirley McMonigle called regarding the case. She is the Protestant and it is likely that she will not be able to join the WebEx hearing in the case. She wrote a letter for the hearing before the ALJ and asked if that would be sufficient. I advised her that the hearing before the Board will be *de novo* and that she should appear to present her opposition, and she could request a postponement if the date was not good for her. She said that mornings are difficult for her, and she would just send another letter in opposition to the request.



Board of Appeals of Baltimore County

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July 15, 2021

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Christopher J. & Jessica L. Hughes
713 Hollow Road
21-054-A 1st Election District; 1st Council District

Re: Petition for Administrative Variance requesting Variance relief from § 100.6 of the BCZR to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size.

4/7/21 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance was DENIED.

ASSIGNED FOR: **AUGUST 31, 2021, AT 10:00 A.M.**

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our web calendar at www.baltimorecountymd.gov/departments/appeals the night before.**

A complete set of exhibits must be emailed at least 48 hours before the hearing to appealsboard@baltimorecountymd.gov in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington, Administrator

Notice of Assignment

In the matter of: Christopher and Jessica Hughes

Case number: 21-054-A

July 15, 2021

Page 2

c. Petitioners/Appellants, *pro se* : Christopher and Jessica Hughes

Protestant, *pro se* : Shirley McMonigle

Paul M. Mayhew, Managing Administrative Law Judge

Steve Lafferty, Director/Department of Planning

C. Pete Gutwald, Director/PAI

James R. Benjamin, Jr., County Attorney

Nancy C. West, Assistant County Attorney

Board of Appeals

Exhibit List

Case No.: 21-054-A

Case Name: Hughes

Party: Petitioner

Date: 8/31/21

Exhibit No.	Description	ID Only
A1	My Neighborhood Hold Harmless	
A2.	Aerial Photo Property	
A3	Panoramic Views	
B	Letter of Support 717 Hollow Rd	
C	Letter of Support 715 Hollow Rd.	
D	Oella Company / History	
E	Satellite Photo of 713 Hollow Rd	
F	- Why Chickens - Basic Facts	
G	- Article - How much room	
H	- Article - Rodent Control	
I	- Article - Backyard Poultry - Diseases	
J	- Article - Backyard Poultry - Healthy Pets	
K	- Article - How Noisy Are Chickens?	
L	- Article - Smell	
VERIFIED BY: _____ DATE: _____		

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The user or recipient hereby agrees to indemnify, protect and hold harmless Baltimore County, Maryland, its officers, agents, employees, successors and assigns from and against any and all suits, demands, losses,

I agree to the above terms and conditions

OK



Baltimore County - My Neighborhood

/ 13 Hollow Road

Search

Property Report - 713 HOLLOW RD

713 HOLLOW RD

Tax Account Number 2200008987
Owner Name HUGHES CHRISTOPHER J
HUGHES JESSICA L
Premise Address 713 HOLLOW RD
Tax Map 0100
Parcel 0860
Real Property Report [More info](#)
StreetView [Click for StreetView](#)
PermitReview [Permit Review Tool URL](#)

ZONING INFORMATION

Zoning [DR 3.5](#)
Zoning [DR 2](#)

SCHOOL DISTRICTS

Elementary School District [Westchester ES](#)
Middle School District [Catonsville MS](#)
High School District [Catonsville HS](#)

CIVIC - GOVERNMENT

Police Precinct [Wilkens](#)
Councilmanic District [1](#)
Congressional District [7](#)

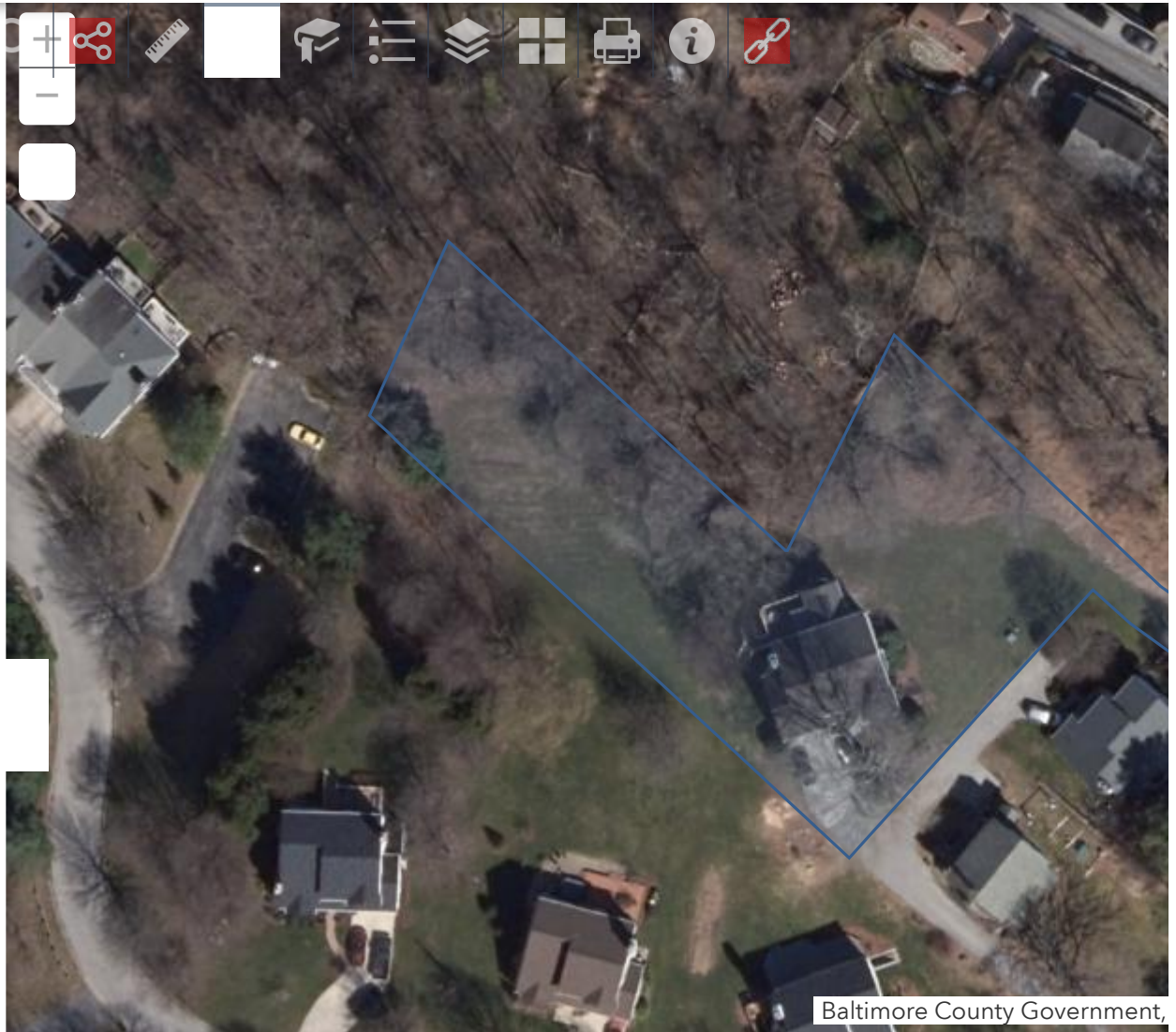




Image 1. Panoramic View from Northeast corner of deck, ground level.

Photo taken August 9, 2021

A—the upper parking lot of Charles James Circle.

B—717 Hollow Road

There is dense forest behind our home that shields all properties other than 717 Hollow Road and 715 Hollow Road from view of the east side of our back yard.



Image 2. Panoramic View from West edge of property. My back is on the property line with 702 Charles James Circle.

Photo taken August 9, 2021

A—704 Charles James Circle

B—the upper parking lot of Charles James Circle

C—Position from which Image 1 was taken.

717 Hollow Road
Ellicott City, Maryland 21043

Office of Administrative Hearing
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

August 10, 2021

Re: Petition for Administrative Variance Appeal
Case No. 2021-0054-A
Property: 713 Hollow Road

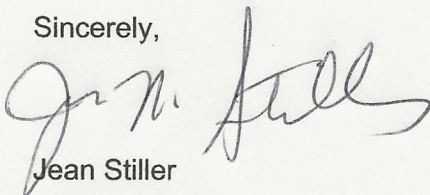
Dear Sir or Madame,

We are writing in support of granting Chris and Jessica Hughes their request for an administrative Variance for Code § 13-7-311. Our property abuts the Hughes property. We have a positive relationship with the Hugheses and witness them to be good caretakers of their pet dog and property. We do not feel we would be negatively impacted in any way by the housing of chickens next door, and, in fact, look forward to the addition to the neighborhood.

We live in Oella, which has a unique feel that combines aspects of rural living with easy access to small historic town centers. We can walk into Patapsco State Park; we live at the top of Hollow Road, which runs through a small valley (hollow) that leads right to the river. Many houses on this road still proudly display outhouses that were actively used until the 1980s. A neighbor across the hollow from us already has chickens. The addition of another small flock on this side of the hollow would fit right in with the distinctive character of Oella.

It is with pleasure that I support Jessica and Chris in their pursuit of acquiring a backyard chicken flock.

Sincerely,



Jean Stiller

715 Hollow Road
Ellicott City, Maryland 21043

Office of Administrative Hearing
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

August 15, 2021

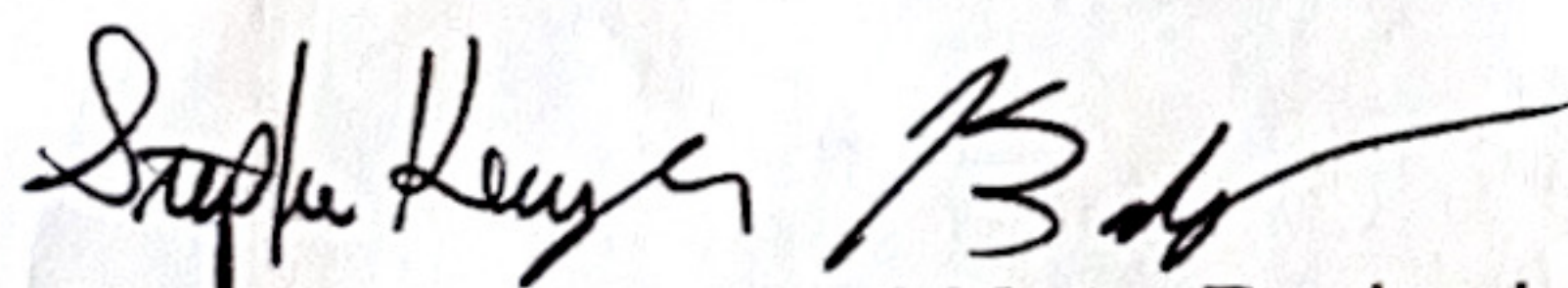
Re: Petition for Administrative Variance Appeal
Case No. 2021-0054-A
Property: 713 Hollow Road

To whom it may concern:

We are writing in support of Chris and Jessica Hughes in their request for an administrative Variance for Code § 13-7-311. Our property abuts the Hughes property. We have a positive relationship with the Hugheses and witness them to be good caretakers of their pet dog and property. We do not feel we would be negatively impacted in any way by the housing of chickens next door, and, in fact, look forward to the addition to the neighborhood.

We are familiar with what is involved in the keeping of chickens through Steve's parents, who already have a flock at their home. The birds are entertaining, quiet, and unobtrusive. There is no issue with rats or other pests in their run or coop, and we are unaware of any issues with smell whatsoever. We would enjoy having a flock of chickens in residence next door.

Sincerely,

Handwritten signatures of Steve Knoyer and Kate Bodenberg. Steve's signature is on the left, and Kate's is on the right, both in dark ink.

Steve Knoyer and Kate Bodenberg



Historic Mill Village Properties
Management
Development
Rehabilitation

[About Us](#) || [Oella History](#) || [Homes for Sale](#) || [Lots for Sale](#) || [Contact Us](#) || [Home](#)

Oella History

Nestled in the wooded hills reaching down to the Patapsco River, Oella is a time capsule — a step back into history. Named for the first woman to spin cotton in America, the village owes its creation to the presence of immense water power.



William J. Dickey

That is what attracted the Union Manufacturing Company, the first textile company to be chartered by the State of Maryland. Founded in 1808, the company briefly achieved renown as the largest cotton mill in America. The Union mill also experienced fire and flood, good and bad times. The bad times led to the auction of the mill, its village, and surrounding land in 1887. William J. Dickey bought the property and gradually shifted production to woolens. The mill burned down in 1918 and was promptly rebuilt. It went on to achieve the distinction of becoming America's foremost producer of fancy menswear woolens. The demand for these fabrics dropped with the introduction of synthetics and double knits and the trend to casual dress. In 1972 the mill closed and was sold to a machinery dealer.

It's gone now — the sight of richly colored fabrics; the aroma of dyes, chemicals, and wool; the feel of tweed, saxonies, and shetlands; the clatter of looms echoing off the hillside. No longer do hundreds of workers pour in and out of the mill at shift change. No longer does water from the mill race set the electric turbines humming. Stripped of the machinery and workers that gave life to its brick walls, now all is just a memory.



Mill Families

Along a three-quarter-mile stretch of Oella Avenue, there exists something more tangible than a memory — the homes of generations of mill workers, the men and women who turned out millions of yards of cloth. Their first homes were built of stone a few years before the War of 1812. Early in the 19th century, log cabins were tucked into the steep slopes, while a scattering of vernacular styles emerged over the years. Brick houses appeared before the Civil War. In the late 19th century construction shifted to Victorian-era frame houses with bracketed cornices. Around the time of World War I, a number of cottage-style kit homes added to the diversity of Oella's architecture. Thereafter, all house building stopped. The automobile made it unnecessary to provide additional lodging for workers.

Historic Oella

A River Runs Through It



Until its closing in 1972 the mill was the heartbeat of the community. The shutdown caused economic and social shock that worsened in June of the same year as Hurricane Agnes swept down the Patapsco Valley. The flood ravaged low-lying areas and severely damaged the 1 ¾-mile mill race, reputedly the longest in America to power one mill. Sewerage problems worsened. This was a community where outhouses still dotted the landscape, and the few indoor bathrooms emptied into the river or the now-stagnant mill race.



Oella Mill

As Oella reeled under these natural and economic disasters, the company sold the mill village, exclusive of the mill, to Charles Wagandt, a great grandson of William J. Dickey. The new owner formed the Oella Company and went to work with architects, engineers, land planners, and Baltimore County officials. The seeds of new life sprouted. An Oella community association was formed. Working with County, State, and Federal governments and with the help of local residents and political leaders, the

Oella Co. finally received public water and sewer services in 1984. These facilities extended far beyond the original mill village and thus benefitted a large area.

In the meantime, Baltimore County produced a master plan for the community that the County Council subsequently approved. In 1983, the County and the Oella Company signed a unique Agreement of Intent, whereby both parties joined in seeking an improved quality of life for the Oella area. Programs evolved to make it possible for long-term tenants to remain in upgraded, affordable housing.

The Oella Company sought to preserve the architectural integrity of the streetscape. It practiced smart growth before the term ever entered the lexicon of land planning. Sensitive infill development with predominately clustered housing preserved open space and wooded hills. Southern Management has also supported smart growth by buying the mill from its most recent owners, rehabilitating the structure with the approval of the Maryland Historical Trust, and recycling it into upscale loft apartments. Meanwhile the Oella Co. is breathing new life into the historic stone buildings at the lower end of the village. This area is known as Granite Hill and will see a cluster of new homes to complement the old. Granite Hill looks across the Patapsco River to Ellicott City, site of America's first railroad terminus and a charming old hill town of shops and restaurants.

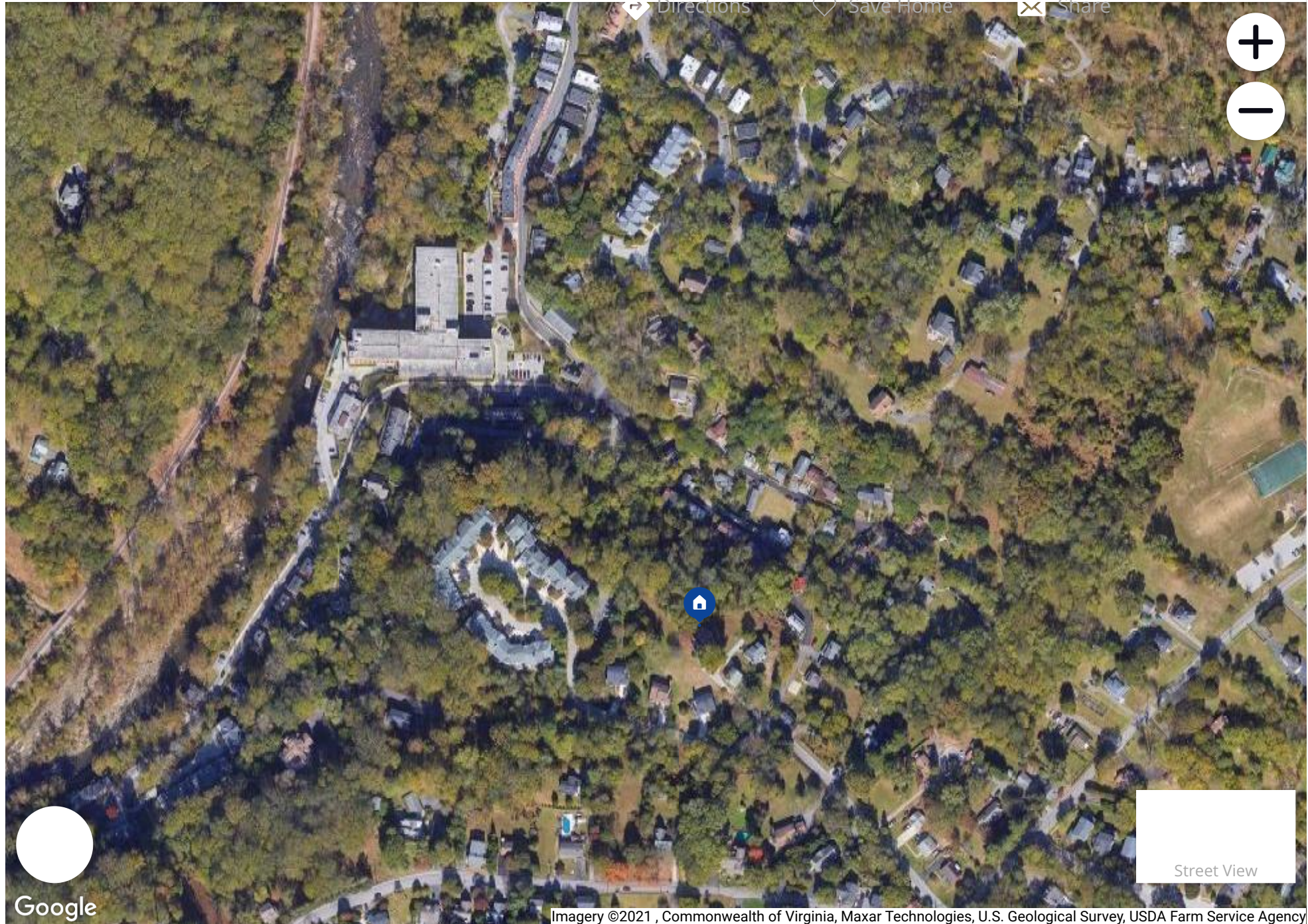
A block away is the 1789 George Ellicott House, which has been saved, moved out of the flood plain, and restored. Oella adjoins the Patapsco Valley State Park and Baltimore County's Benjamin Banneker Historical Park, which commemorates America's first black man of science. Nearby are scenic hiking trails.

This is a region of great rugged beauty. Oella is a place apart amid wooded hills and white water, yet within 20 minutes of Baltimore Inner Harbor and BWI Airport. The Washington Beltway is less than 30 minutes away. Nowhere in Maryland is there such a remarkable example of fine mill-village architecture so picturesquely situated and continuously occupied since before the War of 1812. Educational, cultural, recreational, economic, and scenic opportunities abound. In Oella the past looks forward to a promising future as it passes its bicentennial in 2008.



Map Satellite Lot lines

Directions Save Home Share



Why Chickens? 10 Quick Facts On the Benefits of Raising Chickens.

- Author [Starburst](#)
- Publish date [Jan 19, 2021](#)
- Accessed August 14, 2021
 - <https://www.backyardchickens.com/articles/why-chickens-10-quick-facts-on-the-benefits-of-raising-chickens.76273/>

Chances are, if you're reading this article, you're thinking about keeping chickens, but aren't convinced – or you already keep chickens and were just looking for something to read! Either way, welcome! Now, back to the topic. When it comes to keeping chickens, especially for those who are just beginning to look into the topic, it can seem daunting, difficult, and maybe even a little stressful. And as appealing as the idea of keeping chickens might be, you may be wondering – is it really worth it? In this article, I'm going to be talking about some different reasons as to why chickens are a great choice, and after looking at the facts, hopefully, it'll help you make up your mind.

1. Eggs

Yum, eggs! There's something so appealing about seeing an egg on your breakfast plate and knowing that it came from your own flock.

You can decide if you want to free-range your flock or feed them organic feed. It's your choice, and it makes it a lot easier than scanning the shelves for the exact carton of eggs you want in the store. Also, to clear up any confusion – no, you don't need roosters for hens to lay eggs.

Also, if you've ever dreamed of having a beautiful collection of eggs in different colors and tones (Think – green, blue, white, pink, brown, cream, and more!) now's your chance! You can pick out different breeds that lay the egg color you prefer – though the eggs only change by looks, not by taste.

Chicken eggs are a powerhouse of nutrients – Vitamin D, iodine, phosphorus, and lots of other very healthy things – and studies show that chickens that you raise at home in healthy conditions will lay far more nutritious eggs than those raised on commercial factory farms. Doesn't it sound amazing to be able to go out to the coop and grab a freshly laid egg for your breakfast? And if you're stuck at home for some time, you'll still have fresh food!

2. Low-Maintenance

Seriously. Chickens are surprisingly easy to keep and don't require much time to take care of. The most time-consuming part of keeping chickens is getting started. (Gathering

supplies, building the coop, getting set up, researching – but even that isn't too hard!) On an average day, you could spend about 20 minutes taking care of the chickens if you wanted. You'd want to give them feed, fresh water, let them out of their coop in the morning, lock them up at night, and gather eggs. Of course, if you love your chickens like I do, you might find yourself reading books to them and having a chat over a cup of tea with them – but obviously, that's not mandatory.

Cleaning the coop generally shouldn't need to be done every day – depending on the size of the coop and amount of your chickens, it could be from once a week to several months – especially if you end up using the deep litter method.

Chickens are also extremely common right now, so it's super easy to find supplies to raise them – you can even buy entire chicken coops, just make sure the coop is sturdy and good quality before buying!

Chickens are really simple to take care of, and raising them can be extremely satisfying.

3. Inexpensive

That's right. Chickens aren't expensive to raise at all. True, if you buy a vast, pre-built coop and luxury items for the flock, things are going to get a little pricy. But in general, keeping chickens can leave you happy and satisfied without ending up with an empty wallet.

Common chicken breeds can cost around \$5 per chick at your local feed store, and feed, bedding, and other essentials often don't cost much – depending on your area, you can easily buy them for less than \$20. Even coops – when hand-built and made with recycled materials – can cost less than \$100. Or even better, if you have a shed or old playhouse, you can EASILY convert it to the coop for little money.

So, to sum it up (No pun intended), raising these beautiful, egg-laying chickens probably isn't going to leave you bankrupt – *and* they'll be giving you free breakfast. It's a win-win!

4. Reduce Waste

Think of it – when you're cooking, you're probably going to end up with scraps of food – and oftentimes, those scraps are going to end up in the trash.

Why waste something that would be happily enjoyed by your outdoor friends? The chickens! They'll happily munch on scraps, leftovers, or food that isn't spoiled – but might look bruised. Just remember not to give them food like pizza too often – that's not great for their health.

But adding some kitchen scraps to their diet can give them some extra vitamins and nutrients, especially if they don't free-range. Do make sure to review poisonous foods for chickens, so you don't accidentally feed them something bad. But if you give them some yummy scraps, your chickens will thank you!

If you take up raising chickens, you'll not only be having a flock full of fun antics and making you smile every time you see them, but they'll be helping you reduce waste from the

kitchen!

5. Fertilizer

Yep! Not only can you reduce waste by giving your chickens scraps, but if you garden, you can use your flock's droppings to grow more food for your kitchen, and then *those scraps can go to your flock!* It's a never-ending cycle!

Just remember that you shouldn't put the manure on your plants immediately – you want to let it age first. Mixing it with leaves, straw bedding, and other green compost is a great way to 'cook' it.

And if you don't garden, or you have too much manure for yourself to handle, many gardeners would be happy to take it off your hands!

6. Factory Farming

Sadly, when it comes to factory farming, animals are often very inhumanely treated. Chickens are commonly kept in cages with 3 or more birds per cage. The general rule of thumb for these unlucky birds is 61 square inches – that's not even a square foot, as compared to the minimum of 2 square feet per bird in the coop for most chickens. The wire flooring in the cages hurt the chicken's feet, and their general life quality is poor. There are some egg farms that raise their chickens humanely, but these eggs can be very expensive and are often hard to find.

By raising your own flock, you'll be giving your chickens a better life, and not supporting inhumane businesses – instead eating fresh, nutritious eggs from your flock that you can raise how you want – and you know what they eat and how they're treated! Plus, as said before, those eggs from your own backyard are likely to be much more nutritious than those factory eggs.

7. Pest Control

Many chickens are great at pest control. They love patrolling the area, searching for tasty bugs to grab, which is beneficial for all of us.

Some pests that they especially like are ticks, mosquitos, ants, slugs, and more! So, if you have anything like slugs ruining your garden, chickens just might be the way to go. They'll be happy to take down some of those pests for you! Silkies and bantam breeds are especially known for their slug-hunting skills!

8. Sustainable Living

There's something about being able to walk out to the coop, gather eggs from your very

own flock that you've raised, and then use those eggs to provide a nourishing meal for yourself or others that is truly unique and rewarding.

The fact that you were able to raise those chicks and be able to provide some of your own food is eye-opening. What could you do next? If you live on enough land, chickens can be the gateway to goats, bees, ducks, and more. Or you could start to learn more about gardening so that you could grow more food. Or maybe raising your own little flock is enough, just knowing that you don't depend completely on the grocery store for all of your food is really...uplifting.

Chickens can be used for more than just eggs, too. They can produce manure for the garden, and if you're interested in raising your own meat, chickens are a starting point that many will begin with.

When it comes right down to it, being able to raise your own food, eggs, meat, or more, is a beautiful, wonderful thing to accomplish.

9. Education

Chickens are a great way to learn where your food comes from and learn more about the animals that you might encounter in everyday life, or the products from these animals that you commonly use.

If you have children, it's also a great opportunity to teach them responsibility by letting them take part in the chicken-tending. Collecting eggs, refilling feeders, and more are all great ways for them to learn about caring for the world around them and to be dependable.

10. Pets

Nowadays, chickens as pets have been on a rise. And for some good reasons, too! They're easier to care for and less expensive than cats or dogs, and they're the pet that makes breakfast – I say that's a pretty neat combo! Chickens are the type of pet that seems to always make you smile and have funny little antics that often will leave you laughing. It's also extremely peaceful to watch them, and many chickens will happily jump up into your lap for some snuggle time. Some breeds, like the Silkie, are particularly great for pets, with their soft, down-like feathers.

Chickens are also great for therapy and becoming more and more popular for this purpose. Chicken therapy has been found to be a great success for people with anxiety, depression, autism, and loneliness, giving people a sense of purpose, order, and self-worth. I personally have found great comfort in chickens and consider them my "emotional support animals." In my opinion, chickens make a wonderful choice for pets, and they have some great qualities that make them a great option, like the ease of caring for them and their bonus of laying eggs.

Conclusion

Chickens are great animals, they're friendly, hardy, easy to care for, and are multi-purpose –

whether you're interested in keeping them as pets, livestock, or both, they're a great choice to have around. There are many more reasons as to why to keep chickens, but these are my main reasons. So, do you think chickens are the right animals for you? If so, there are many resources for keeping chickens, like books, websites, and of course, here on BYC! Keeping chickens is not only fun and easy but extremely beneficial! Thank you for taking the time to read this, and if you have any feedback, suggestions, comments, or questions, please leave a comment or review!* Thanks again, and I hope this article was helpful! Have a great day! 🍏 🍏

How much room do chickens need

- Author [Ridgerunner](#)
- Publish date [Dec 1, 2013](#)
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- <https://www.backyardchickens.com/articles/how-much-room-do-chickens-need.66180/>

[Article](#)[Reviews \(44\)](#)[Gallery \(1\)](#)

I don't believe in magic numbers for chickens. We keep them in so many different conditions, in different climates, with different flock make-ups, use so many different management techniques, and have different goals so no one magic number will cover us all. Summer in Miami may be different from winter in Nova Scotia, for example. I find that the tighter I crowd them the more behavioural problems I am likely to have, the less flexibility I have in dealing with problems, and the harder I have to work.

The behavioral problems from overcrowding could be anywhere from them being loud, feather-picking, bullying, fighting, all the way to cannibalism. Flexibility is not just dealing with behavioral problems but maybe integration and broody hens, predator problems or many other things. As an extreme example, say you have damage to your run where you cannot safely keep your chickens penned during the day. Do you have to miss a day's work or not take your kids to school to deal with it immediately or can you lock them in the coop until you have time to deal with it on your schedule? As for hard work, think poop management. The smaller space they are in the more you have to physically manage the poop.

What is important is how much space is available when they need it. Whether that space is in your coop, coop and run, or they sleep in trees and totally free range doesn't matter. If all you use your coop for is to provide a safe place for them to sleep and you commit to getting up when they do 365 days a year so you can open the pop door, you really don't need much space in the coop itself. The space available is the coop plus the run or maybe free range. But the more you commit yourself to a specific way of managing them, the less flexibility you have. For instance, how hard will it be to find someone to take care of your chickens when you go on vacation if they have to be there at dawn as opposed to 9:00 a.m. being OK?

I understand that people without experience need general guidelines to go by. There are several rules of thumb to help people get started. A popular one on this forum is 4 square feet per chicken in the coop along with 10 square feet per chicken in the run. This is geared toward people with a small backyard flock in suburbia, not a big flock in a rural setting. It

will keep most people out of trouble in a wide range of climates and using different management techniques. That means it is overkill for a lot of people as far as the bare absolute minimum they could get by with, but occasionally it proves to be a bit tight. Still it is a good starting point.

Some of the things that make up the space requirement are, in my opinion:

1. Personal space for the birds. They have different personalities and different individual requirements. Some are very possessive of personal space and some can share. Each flock has its own dynamics. There are breed tendencies but individual birds of the same breed can have totally different personalities.
2. Access to feeder and waterer.
3. Being able to put the feeder and waterer where they will not poop in it when they roost.
4. **Roost spacing**. They not only need to have enough room to sleep on the roost, they need to have enough room for them to spread their wings and fly to the roost and to sort out who gets to sleep next to whom and who gets the prime spots once they get on the roost. When they get on, they may jump from some midway support or fly directly to the roost, but either way, they like to spread their wings. And some chickens seem to enjoy blocking the entry points if there are limits. When they get off, mine tend to want to fly down, not jump to a halfway point. They need room to fly down without bumping into feeders, waterers, nesting boxes, or a wall.

The more chickens you have the less roost space per chicken you need. They don't take up a lot of room when they are roosting once access and maneuvering room is provided. But I find that mine can be pretty vicious on the roosts as they are settling down, especially when I am integrating. I find it helps to have lots of roost space, not the bare minimum.

5. Poop load. The larger area they have the less often you have to actively manage the poop. They poop a lot while on the roost so you may have to give that area special consideration, but mucking out the entire coop can be backbreaking work plus you have to have some place to put all that bedding and poop. In my opinion, totally cleaning out the coop is something that needs to happen as seldom as possible.

You can help manage poop load by using a **droppings board** but that commits you to regularly scraping the poop off and dealing with it.

6. How often are they able to get out of the coop? How often they are allowed out of the coop may depend on a lot more than just weather. Your work schedule, when you are able

to turn them loose, what time of day you open the pop door to let them out or lock them up at night, all this and more enters into the equation. The 4 square feet recommendation assumes they will spend extended time in the coop and not be able to get in the run occasionally. What that extended time can safely be depends on a lot of different factor so there is no one correct length of time for everyone.

7. Do you feed and water in the coop or outside. The more they are outside, the less pressure on the size of the coop.

8. The size of the chicken. Bantams require less room than full sized chickens. This has to be tempered by breed and the individual personalities. Some bantams can be more protective of personal space than others, but this is also true of full sized breeds. Young chicks need less space than mature adults but in a mixed age flock, extra room is important.

9. The **breed** of the chicken. Some handle confinement better than others.

10. The number of chickens. The greater the number of chickens, the more personal space they can have if the square foot per chicken stays constant. Let me explain. Assume each chicken occupies 1 square foot of space. If you have two chickens and 4 square feet per chicken, the two chickens occupy 2 square feet, which leaves 6 square feet for them to explore. If you have ten chickens with 4 square feet per chicken, each chicken has 30 unoccupied square feet to explore. A greater number also can give more space to position the feeders and waterers properly in relation to the roosts and provide access. In general the more chickens you have the less space per chicken you need.

11. What is your flock make-up? Adding one rooster to a flock of hens does not greatly increase the required space needed, though it sometimes helps flock dynamics if they have more space. But adding a second or additional roosters can greatly affect the amount of room they need. Often multiple roosters will split the flock into separate harems with each rooster claiming his own territory. That reduces conflict.

12. What is the maximum number of chickens you will have. Consider hatching chicks or bringing in replacements. Look down the road a bit.

13. Do you want a broody to raise chicks with the flock? A broody needs sufficient room to work with.

14. The more space you have, the easier it is to integrate chickens. Chickens have developed a way to live together in a flock. It's called the pecking order. But establishing that pecking order can sometimes be pretty violent. One method they use to take most of the danger out of establishing the pecking order is that the weaker runs away from the stronger when there is a confrontation or they just avoid the stronger to start with. They need room to run

away and avoid.

15. The more space you have the more flexibility you have dealing with problems or altering your management techniques. That's just basic.

I'm sure I am missing several components, but the point I'm trying to make is that we all have different conditions. There is no magic number that suits us all. I generally cringe when I see a post asking "How many chickens can I shoehorn into this size space?" I think the better way to look at it is to first decide how many chickens you want, then ask "How can I provide sufficient space?"

Some people consider giving chickens extra space to be coddling the chickens. Let's examine that. If I give them extra space I have to deal with fewer behavior problems, I have more flexibility in managing them or in dealing with problems that come up, and I don't have to work as hard. Is that coddling the chickens or is that not going out of my way to make my life harder than it has to be?

For more discussions on the coop sizes and flock management see the [Coop & Run](#) and the [Managing Your Flock](#) forum sections.

PESTS IN THE URBAN LANDSCAPE

Home, landscape, and structural pest news from the UC Statewide Integrated Pest Management Program



Rodent Control in and Around Backyard Chicken Coops

Published on: May 10, 2017

[From the May 2017 issue of the [UC IPM Retail Newsletter](#)]

Keeping backyard chickens is becoming increasingly popular in residential areas around California. Your store may be selling pre-made chicken coops, feed, or other accessories, or you may be getting questions about rodent pests in chicken houses.

Chicken coops are sometimes associated with mild to serious rodent infestations. Rodents, such as rats and house mice, are not only predators of chickens and eggs, they can carry and transmit many diseases to both chickens and humans. For rodents, as well as most pests in and around the home and garden, advise your customers to use proactive instead of reactive management practices to address potential problems or issues.

Sanitation around the coop

Rodents are attracted to sources of food and water found in many chicken coops. To limit these attractive items:

- Remove chicken food at night, if possible. Use a mobile chicken feeder and store it in a place inaccessible to rodents. Use a rodent proof container made from heavy duty metal or plastic to prevent access.
- Keep your chicken coop as clean as possible. Remove any spilled grain that may attract rodents or other pests.
- Do not leave eggs in the coop overnight. Eggs are an excellent food source for rodents.
- Remove water from your chicken coop at night and replenish it in the morning.



Standard chicken wire is large enough for rodents to fit through. [UC ANR]



A backyard chicken coop. [UC ANR]

Exclusion

Exclusion can be a very long lasting and effective method for combating rats and mice. Mice can squeeze through very small holes ($< 1/4$ inch) so it is important to repair any opening to the chicken enclosure that mice could potentially get through.

It is more difficult for rodents to gnaw on flat surfaces of durable materials. Make sure the surfaces of your chicken coop are well constructed from hard materials such as concrete, galvanized sheet (24 gauge), brick, or hardware cloth (24 gauge).

Keep all doors and hatches to chicken coops closed to prevent easy rodent access and ensure doors are well sealed. Do not use materials like plastic sheathing, wood, rubber, or green cement to seal openings. These gnawable materials don't work well and can be used as access points for rodents. Stuffing steel wool into openings is only a temporary fix.



House mice can be pests in chicken coops. [UC ANR]

Trapping

Trapping is a very effective method of rodent control. However, be aware that traps have the potential to injure curious birds, too. Place traps under milk crates or other areas where chickens do not have access. You can also set traps at night when chickens are inside the coop.

Rats are especially neophobic (afraid of new things), so to increase your trapping success, bait traps with a locally available food source such as chicken feed.

Using Rodenticide

Rodenticide can be applied in secured bait stations. Generally, rodenticide cannot be placed more than a specified distance from a man-made structure (usually no more than 50 feet). Homeowners do not have many rodenticide options due to restrictions on application. Chickens can eat rodent carcasses and have even been known to catch live mice. Therefore, restricting their access to rodents that may have ingested an anticoagulant rodenticide is important because rodenticides can accumulate in the rodents and if consumed by chickens, may cause them to acquire rodenticide secondarily (secondary toxicosis).

If you want to use a rodenticide but are worried about the risks, you can use an acute toxicant. These products do not have issues of secondary toxicosis associated with them. However, there are no antidotes to reverse the actions of these rodenticides. An antidote is only available when using an anticoagulant rodenticide.

If you use rodenticides as a management method, it is extremely important to completely restrict chicken access to them. If consumed by a chicken, they can cause death.

You can learn more about managing rats and mice on the UC IPM web site at ipm.ucanr.edu. For more information about raising backyard chickens, see the UC Cooperative Extension Backyard Poultry Resources web site at <http://ucanr.edu/sites/poultry/type/backyard/>.

-Niamh Quinn, Human-Wildlife Interactions Advisor, South Coast Research and Extension Center, nmquinn@ucanr.edu and Scott Parker, UC Master Gardener Coordinator, UCCE San Diego, saparker@ucanr.edu

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Adult roof rat. [J.K.Clark]

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Backyard Poultry

Poultry includes any domesticated bird kept for producing eggs or meat, such as chickens, ducks, geese, guinea fowl, and turkeys. Find information about pet birds on the [birds page](#). Find information about wild birds on the [wildlife page](#).

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Read below to learn about diseases that can be spread by poultry and visit the [Healthy People](#) section to learn about staying healthy around backyard poultry.

Bird flu (Avian influenza)

Avian influenza, or bird flu, is a contagious respiratory illness caused by influenza viruses. Some avian influenza viruses that primarily circulate in animals have infected people on rare occasion. When influenza viruses that normally circulate in animals cause an infection in people, this is called a “novel” virus infection. Not all influenza viruses found in birds are known to cause human infections.

How it spreads: Flu viruses are highly contagious. People can get infected through contact with saliva, nasal secretions, and droppings (poop) from infected animals. People also can get infected through contact with virus-contaminated surfaces, poultry coops, pig pens, and supplies. Less often, people can get infected by touching an infected animal and then touching their own eyes, nose, or mouth.

Who is at risk: It is rare for avian flu to spread to people. Anyone can get the flu, but children younger than 5 years of age, pregnant women, adults 65 years of age and older, and people with weakened immune systems are at high risk for serious flu complications.

People who work closely with large numbers of birds, such as producers, are more likely to get bird flu if their animals are infected.

Signs in poultry: Birds can be infected with flu viruses without showing symptoms. Signs that poultry may be infected range from decreased egg production to extremely high death rates.

Symptoms in people: People infected with avian flu viruses can have symptoms similar to the human seasonal flu, such as fever, fatigue, lack of appetite, and coughing. They may also have red eyes, nausea, abdominal pain, diarrhea, and vomiting. Some people can have serious flu complications, including inflammation of the heart (myocarditis), brain (encephalitis), or muscle (myositis, rhabdomyolysis) tissues, and multi-organ failure (for example, respiratory and kidney failure).

Campylobacteriosis (*Campylobacter* spp.)

Campylobacter are bacteria that can make people and animals sick with a disease called campylobacteriosis.

How it spreads: *Campylobacter* most often spread to animals and people through the feces (poop) of infected animals, contaminated food, or the environment. People can get infected if they don't [wash their hands](#) after touching an animal or its poop, food, toys, habitats (including coops, pens, and cages), or equipment used around these animals.

Who is at risk: Anyone can get a *Campylobacter* infection, but children younger than age 5, adults aged 65 and older, and people with weakened immune systems are more at risk for serious illness.

Signs in poultry: Poultry usually don't show signs of *Campylobacter* infection. Even if they look healthy and clean

Signs in poultry: Poultry usually don't show signs of *Campylobacter* infection. Even if they look healthy and clean, poultry can still spread the bacteria to people.

Symptoms in people: People can have diarrhea (can be bloody), fever, and abdominal cramps. The diarrhea may be accompanied by nausea and vomiting. Symptoms usually start within 2–5 days after infection and last about 1 week.

E. coli (Escherichia coli)

E. coli are bacteria found in the environment, foods, and intestines of people and animals. Although most kinds of *E. coli* are harmless, others can make people sick.

How it spreads: *E. coli* most often spreads to animals and people through the poop of infected animals, contaminated food, or the environment. People can get infected if they don't wash their hands after touching an animal or its poop, food, toys, habitats (including coops, pens, and cages), or equipment used around these animals.

Who is at risk: Anyone can get sick from *E. coli*, but children younger than 5 years of age, adults 65 years of age and older, and people with weakened immune systems are at risk for more serious disease.

Signs in poultry: Poultry naturally have *E. coli* in their gut, and don't usually show signs of illness. Even if they look healthy and clean, poultry can still spread the bacteria to people.

Symptoms in people: Symptoms depend on the [kind of *E. coli*](#) causing the infection. Shiga toxin-producing *E. coli* (STEC) infection is one of the most commonly diagnosed *E. coli* infections in the United States. Symptoms of STEC infection include stomach cramps (can be severe), diarrhea (can be bloody), and sometimes vomiting or a low fever. Symptoms usually start within 3–4 days after infection and last 5–7 days. Some people with STEC infection develop a life-threatening complication called [hemolytic uremic syndrome \(HUS\)](#), a type of kidney failure.

Histoplasmosis (*Histoplasma capsulatum*)

Histoplasmosis is an infection caused by fungus found in the environment, particularly in soil that contains large amounts of bird and bat droppings.

How it spreads: People can get histoplasmosis by breathing in the microscopic fungus from the environment.

Who is at risk: Anyone can get histoplasmosis, but those most at risk for serious infection include adults over 65 years old, infants, and people with weakened immune systems.

Signs in birds: Birds do not get sick from histoplasmosis.

Symptoms in people: Most people don't get sick from histoplasmosis. People who do get sick from histoplasmosis can have pneumonia-like symptoms that usually appear within 3-17 days of exposure. Symptoms include fever, cough, and fatigue.

Salmonellosis (*Salmonella* spp.)

Every year people get *Salmonella* infections after handling poultry, such as chicks and ducklings. Visit the [Healthy People](#) section for more information on how to prevent becoming sick.

Who is at risk: Anyone can get a *Salmonella* infection, but children younger than 5 years of age, adults 65 years of age and older, and people with weakened immune systems are more at risk for serious illness.

Signs in poultry: Poultry usually don't show signs of *Salmonella* infection. Even if they look healthy and clean, poultry can still spread the bacteria to people.

Symptoms in people: People may experience diarrhea, fever, and abdominal cramps. Symptoms usually start within 6

hours to 4 days after infection and last 4 to 7 days.

Page last reviewed: June 4, 2021

Backyard Poultry

Poultry includes any domesticated bird kept for producing eggs or meat, such as chickens, ducks, geese, guinea fowl, and turkeys. Find information about pet birds on the [birds](#) page. Find information about wild birds on the [wildlife](#) page.

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How to stay healthy around backyard poultry

Wash your hands

- [Wash your hands](#) with soap and running water after touching backyard poultry or anything in the area where they live and roam. This includes:
 - After collecting eggs
 - After handling food or water containers or other equipment used for poultry
 - After being in areas near poultry even if you did not touch the birds
- Adults should supervise handwashing for young children.
- Use hand sanitizer if soap and water are not readily available. You can also put hand sanitizer near your coop for easy access.



Be safe around poultry

- Don't kiss backyard poultry or snuggle them and then touch your face or mouth.
- Don't let backyard poultry inside the house, especially in areas where food or drinks are prepared, served, or stored.
- Don't eat or drink in areas where poultry live or roam.
- Set aside a pair of shoes to wear while taking care of poultry and keep those shoes outside of the house.
- Stay outdoors when cleaning any equipment or materials used to raise or care for poultry, such as cages or food and water containers.

Handle eggs safely

Eggshells may become contaminated with *Salmonella* and other germs from poultry droppings (poop) or the area where they are laid. To keep your family healthy, follow the tips below when collecting and handling eggs from a backyard flock:

- Always wash your hands with soap and water right after handling eggs, chickens, or anything in their environment.
- Keep a clean coop. Cleaning the coop, floor, nests, and perches regularly will help to keep eggs clean.
- Collect eggs often. Eggs that sit in the nest can become dirty or break.
- Throw away cracked eggs. Bacteria on the shell can more easily enter the egg through a cracked shell.
- Eggs with dirt and debris can be cleaned carefully with fine sandpaper, a brush, or a cloth.
- Don't wash warm, fresh eggs because colder water can pull bacteria into the egg.



- Refrigerate eggs after collection to maintain freshness and slow bacterial growth.
- Cook eggs until both the yolk and white are firm. Egg dishes should be cooked to an internal temperature of 160°F (71°C) or hotter. Raw and undercooked eggs may contain *Salmonella* bacteria that can make you sick.
- Know local regulations for selling eggs. If you sell eggs, follow local licensing requirements.

Supervise kids around poultry

- Always supervise children around poultry and while they wash their hands afterward.
- Don't let children younger than 5 years of age handle or touch chicks, ducklings, or other poultry. Young children are more likely to get sick from germs like *Salmonella*.
- Don't give chicks and ducklings to young children as gifts.
 - Because their immune systems are still developing, children are more likely to get sick from germs commonly associated with poultry, such as *Salmonella*, *Campylobacter*, and *E. coli*.
- Live poultry should not be kept in [schools](#), childcare centers, and other facilities with children younger than 5 years of age.

Prevent bird bites and scratches

Backyard poultry and waterfowl do not have teeth, but their bills and beaks can still cause a lot of damage if they bite you. Germs can spread from poultry bites, pecks, and scratches, even when the wound does not seem deep or serious.

- Avoid bites and scratches from your backyard poultry or waterfowl.
- If poultry scratch or bite you:
 - Wash wounds with soap and warm water immediately.
 - Seek medical attention and tell your doctor you were bitten or scratched by a bird, especially if:
 - The bird appears sick or is acting unusual.
 - The wound or injury is serious (uncontrolled bleeding, unable to move, extreme pain, muscle or bone is showing, or the bite is over a joint).
 - The wound or site of injury becomes red, painful, warm, or swollen.

It has been more than 5 years since your last tetanus shot.

Page last reviewed: June 4, 2021

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How Noisy Are Chickens?



Kassandra Smith

Senior Editor • Backyard Chicken Coops

Last Updated: 16 July 2020

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Got visions of rowdy chickens squawking up a ruckus? Many people are turned off the idea of getting chickens because they think their crows and calls will cause havoc with their peace and quiet. What people don't realise is that chickens are in fact very quiet and gentle animals - the most you'll ever get is a yelp of excitement when they've laid an egg, or panic if they're in danger. Beyond that, you'll never need any noise cancelling earphones (they definitely make less noise than a large dog or cat!)

The different noise levels of hens tends to vary with their breed. [Most popular backyard breeds](#) are perfectly placid, and you won't hear much out of them apart from a few clucks here and there (especially when they're laying an egg!). Most backyard chickens are virtually undetectable, only getting vocal when they have just laid an egg or there is danger about- either noise won't last long, and isn't particularly loud in the first place. It is true that some breeds are more chatty than others, but at their loudest, chickens have the same decibel level as a human conversation (60-70 decibels). Compared to a dog's bark which can reach over 90 decibels, chickens can hardly be called a noisy animal.

Roosters, however, are another story...

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Ask our resident poultry expert - it's free



Got a problem? Need to ask something but short of time?

Just click the Request Help button and fill in the form. Our poultry expert will respond same day between 10am - 5pm Monday to Friday AEST.

Forget reading 1000+ words about chicken behavior?





One egg-ception to this quiet chicken rule is the males of the bunch - the roosters. Roosters will crow multiple times a day, and at quite a volume. This is the reason why [most residential areas](#) won't allow roosters, as their noise is loud enough to disturb the peace. If you're on acreage, you're probably better suited to having a rooster in your flock! Learn more about roosters and whether they're a good fit for you in our [Do I Need A Rooster In My Backyard Flock](#) article.

The best way to keep your hens content (and reduce any noises of irritation!) is to keep them in the perfect chicken house. Our [Taj Mahal](#), [Penthouse](#) and [Mansion](#) chicken coop will ensure your flock is safe and satisfied - there'll be no squawks of irritation from your flock!

From their squawks to their actions, we've all looked at our chickens and wondered what on earth are they doing? Is it a cry for help or for food or for the fun of it? Some behaviours are cute quirks for a breed and others may be a cause for concern! Like all pets, chickens can be trained to stop bad behaviours and reinforce positive ones.

Cluckily, our friends over at [Chickenpedia](#) have created an amazing [Chicken Etiquette Course](#). This extensive online course shares useful advice on a variety of chicken behaviours. The well-structured course will also help you deal with bad behaviour and encourage positive behaviours. Keep the neighbours happy - their only complaint will be that they wish they also had chickens!

Accessed August 14, 2021

<https://blog.mypetchicken.com/2012/07/20/the-6-silliest-arguments-against-backyard-chickens/>

The 6 Silliest Arguments Against Backyard Chickens July 20, 2012

We've never heard any meaningful reasons against keeping a small flock of pet backyard chickens. Objections to urban and suburban chicken keeping usually spring from basic ignorance or a lack of education about chickens, and occasionally just a plain lack of common sense. Below are the basic objections you will hear... and as you will see, they don't represent a single meaningful reason to make keeping a small flock of chickens illegal.

1. "Chickens are smelly!"

Chickens don't smell bad any more than other pets do. A [properly clean chicken coop](#) has no objectionable odors. While it's certainly true that if your chicken coop is seldom or never cleaned, it will begin to smell, the same is true of a cat box that is never cleaned, or a dog kennel that is never cleaned. There are laws against animal cruelty, animal neglect, animal abuse, and so on that apply to all pets. The bottom line is that responsible people give their pets proper care and provide them with a clean environment.

Chalk this argument up to a lack of common sense. Chickens are no different from other pets in this regard.

2. "Laying hens are loud!"

The truth is that a flock of laying hens is actually quiet, far [more quiet than dogs are](#). A hen will cackle or squawk when she lays an egg. That occurs once a day—or less, depending on the breed and age of the hen, as well as the season.

[Eggs laid by hens raised on pasture](#) have 67% more vitamin A, 200% more Omega-3s, 300% more Vitamin E, 700% more Beta carotene... and 33% LESS cholesterol and 25% LESS saturated fat.

The noise argument is based on basic ignorance about chickens and biology. Many uneducated people think they will hear crowing if their neighbors keep hens for eggs, because they think a rooster is required for egg production... but he's not. Human women ovulate regardless of whether a male is around or not, and so does a hen. Remember, roosters are only required if you want your hen's eggs to be fertile!

3. "Chicken flocks produce a lot of poop and waste!"

Very little solid waste is produced by chickens, and what IS produced can be [composted](#) to [make great fertilizer](#).

By way of comparison, an average dog will produce around a pound of poop in a day, whereas a flock of four hens will only produce less than half that, about [1.5 ounces of waste per hen](#). Four chickens produce less waste than a medium house cat, too. Plus, [composted chicken manure](#) can eventually be used for your garden (another reason why people who have hobbies like gardening are often interested in keeping chickens, and vice versa).

Normally you don't compost dog or cat poo, since manure is more nutritious for plants if it has been produced by animals that get most of their nutrition from plants (including cows, sheep, goats, horses... and [chickens](#)).

The worry about chickens producing too much poop comes a lack of common sense—forgetting that ALL pets produce waste—paired with ignorance that small flocks of chickens actually produce less waste than most other single pets.

4. "Chickens will attract wild animals to my neighborhood!"

Don't be silly! Presuming you keep everything clean and tidy with your pet chickens just as you would when keeping a pet cat or dog, raising chickens doesn't make rodents or other pests magically appear from thin air. While it IS true that if there are any pests already in your neighborhood, they might be attracted to chicken feed if you spill it or don't keep it secured, they would be just as attracted to spilled or unsecured cat or dog food, wild bird feed, a koi pond, or even to your family's food waste discarded in unsecured outdoor garbage cans or compost piles—and all of those probably already exist in most neighborhoods, anyway. Chicken food is no different from any other pet food in that respect.

If you do have small rodents in your area, a flock of chickens can actually reduce their number, since [some breeds](#) will catch and eat small mice and moles like cats do—chickens will eat small snakes, too. Plus, they eat other pests like ticks, mosquitos, grasshoppers and the like.

Chickens are generally more vulnerable to attack by smaller predators than dogs are... but even so, small dogs and cats can be attacked by hungry wild animals, too. That said, stories like [this one](#) don't mean that dachshunds or other small dogs are likely to "attract" predators to the neighborhood. This is another argument demonstrating a basic lack of common sense.

5. "Legalizing chickens will negatively affect property values"

Not true. Take a few moments to read some old news stories about the legalization of backyard chickens, and you'll notice that no actual evidence indicating that property values drop due to backyard chickens is EVER cited. Instead, the media will report that opponents simply have a "fear" of reduced property values. It seems to me that reporters should follow that claim up with actual data... but there is none to be had (and you know the media these days). So this argument is like a bogeyman: it's not real, but is frequently employed to frighten people into a position of compliance and fear. We've heard stories about realtors like [this one](#) who feel that the right to keep a small flock of chickens could attract people to buy.

Rather than driving neighbors apart, chickens are usually conversation starters, particularly unusual breeds like [Polish](#) with their huge crests, or [Silkies](#) with their fur-like feathers. And today's [small flock chicken coops](#) are boutique, high-end items designed to look pretty in the yard. Remember, neighbors who want to keep chickens are just that: your neighbors. They care about the value of their homes and the quality of life in their community just as much as opponents of backyard chickens do—maybe more. People who keep backyard chickens are often involved in many other hobbies that add value to your neighborhood, including flower or vegetable gardening, beekeeping, growing fruit trees or berry bushes and so on. Think about it: this is exactly the sort of thing that can enhance community feeling and friendship in your neighborhood. Imagine a neighborhood where your neighbors share berries, fresh eggs, zucchini and tomatoes with you... and you might "lend" a cup of sugar or share a mug of coffee. That's what good neighbors do.

That's why some of the most expensive and exclusive communities in the country [allow small flocks](#) of laying chickens. For example, New York, Portland, Chicago and Boulder—cities with some of the highest property values in the country—allow hens. If keeping chickens negatively affected the property values of the communities that permitted them, surely the communities would be taking steps to repeal them based on this mounting evidence, right? This is not happening. Instead, in some areas with high property values, the regulations are actually becoming more permissive with regard to backyard chickens, presumably because these places have found that the quality of life has improved. For example, in 2010, Seattle went from allowing families 3 hens to [allowing 8 hens](#), a much more reasonable number if your family eats lots of eggs, especially if you don't want to be limited to getting only the breeds with the highest egg production. The "property value" argument is typically based on emotions and other evidence-less prejudices. There is zero evidence that legalizing pet chickens has affected property values.

6. "People who want to keep chickens should just move to the country!"

This is probably the most ridiculous "argument" of all, if it can even be termed an argument. In the United States, no matter where you live, you have basic rights that allow you to enjoy your own property... but that means your neighbors have the same rights to enjoy their property, as disappointing as some may find that to be. If YOU are unduly bothered by your neighbors—when their activities don't affect property values, produce foul odors, loud noise, excess waste or present other actual problems—then YOU are the one who'll need to consider moving out of town and into the country.

Some people would be happier with a buffer zone around them so that it will be easier for them to mind their own business and be less invasive of the privacy of others who live nearby. If you are that type of person, then just purchase a reasonable amount of acreage and put your house in the middle, so interaction with your neighbors will be minimal. Out in the country with plenty of space around you, you'll be happier and less stressed out by what any of your neighbors might be doing on their own property.

Wait, you're thinking that telling someone to move out of their home doesn't seem like a real, workable solution to a problem? Really? Yeah, that's right. It's really stupid. The sensible thing would be for everyone to live and let live, and to stop worrying so much about [what's happening on your neighbor's side](#) of the fence.

Debra Wiley

From: Administrative Hearings
Sent: Wednesday, March 24, 2021 9:06 AM
To: Mcmonigle, Shirley A; Administrative Hearings
Cc: samcmonigle@aol.com
Subject: RE: Zoning Variance Concerns

Ms. McMonigle,

Your email has been received and will be included in the case file for the judge's review.

Thank you for contacting the Office of Administrative Hearings and have a great and safe day.

From: Mcmonigle, Shirley A <samcmon@nsa.gov>
Sent: Wednesday, March 24, 2021 8:59 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: samcmonigle@aol.com
Subject: Zoning Variance Concerns

CAUTION: This message from samcmon@nsa.gov originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please accept my concerns in case number 202110054A.

First of all, the notification signs had very small print regarding contact information, and I don't know whether this is by design or not. Even stopping with my head out of the window of the car I could not read the information.

My concerns (not in priority order):

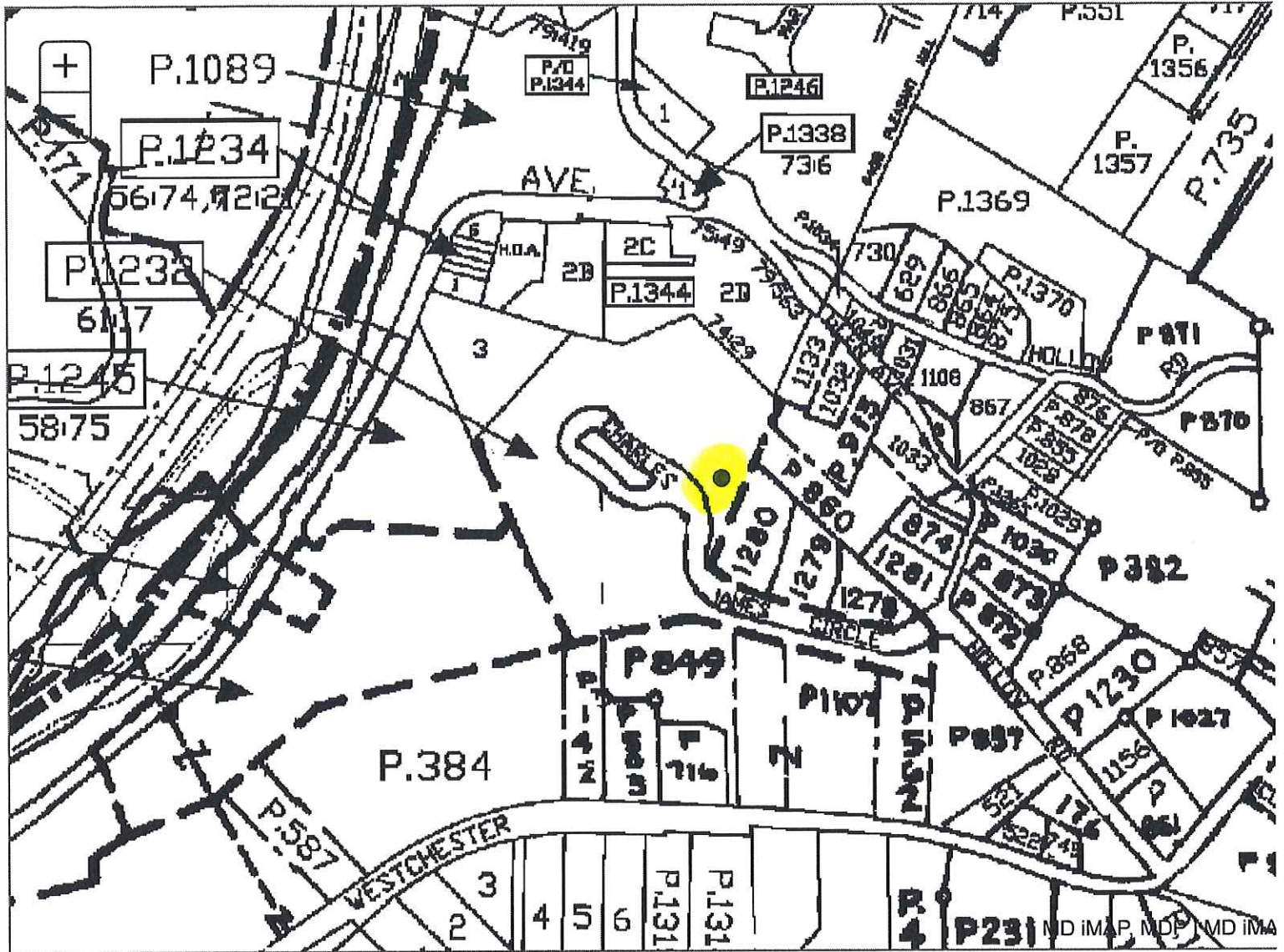
- 1) Any noise or foul smell that chickens (or roosters) would make as I live very close by at 800 Charles James Circle.
- 2) Any additional rodents or wild animals that may be attracted to this livestock.
- 3) Any possibility of virus – per a Wall Street Journal report, even China once prohibited the export of backyard chickens/eggs due to H1N1 virus issues. We are not even yet over the COVID-19 pandemic and I do not want to be involved in another pandemic.

Can you please keep me informed of any approvals or disapproval?

Thanks,

Shirley McMonigle

District: 01



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 01 Account Number - 2100014975		
Owner Information		
Owner Name:	MCMONIGLE SHIRLEY ANN	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	800 CHARLES JAMES CIR ELLICOTT CITY MD 21043-4706	Deed Reference: /27212/ 00486
Location & Structure Information		
Premises Address:	800 CHARLES JAMES CIR ELLICOTT CITY 21043-4706	Legal Description: .0885 AC 800 CHARLES JAMES CIR TIMBER POINT
Map: 0100	Grid: 0009	Parcel: 1232
Neighborhood: 1040062.04	Subdivision: 0000	Block: 1
Lot: 1	Assessment Year: 2019	Plat No: 0062/ 0150
Town: None		
Primary Structure Built: 1993	Above Grade Living Area: 1,876 SF	Finished Basement Area: 500 SF
Property Land Area: 3,853 SF	County Use: 04	
Stories: 2	Basement: YES	Type: END UNIT
Exterior: FRAME/	Quality: 5	Full/Half Bath: 3 full/ 1 half
Garage: 1 Attached	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2019
Land:	105,000	145,000
Improvements	283,100	259,600
Total:	388,100	404,600
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
		399,100
		404,600
Transfer Information		
Seller: COLLINS JOHN BEMBREY	Date: 07/30/2008	Price: \$405,000
Type: ARMS LENGTH IMPROVED	Deed1: /27212/ 00486	Deed2:
Seller: PAKULLA ERIC TODD	Date: 11/22/2004	Price: \$435,000
Type: ARMS LENGTH IMPROVED	Deed1: /21014/ 00198	Deed2:
Seller: JUDE COLLEEN D	Date: 01/06/1998	Price: \$175,000
Type: NON-ARMS LENGTH OTHER	Deed1: /12586/ 00754	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 12/15/2009		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

713 Hollow Road
Ellicott City, Maryland 21043

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

May 5, 2021



Re: Petition for Administrative Variance Appeal
Case No. 2021-0054-A
Property: 713 Hollow Road

Dear Sir or Madame,

My family is interested in filing an appeal to the judgement for 713 Hollow Road - Case No. 2021-0054-A. My family petitioned the county to allow us to have backyard chickens on a $\frac{3}{4}$ acre lot. We believe our lot is unique enough to merit having the birds, and that our purposes for having them cannot be met in another manner. In addition, we spoke with the neighbor who filed a concern with the county and found that the reasons for her concerns were based on chicken stereotypes rather than accurate information regarding the housing of chickens.

Enclosed please find the following: a check for \$300, to pay for the appeal and a summary of our arguments for why we think we should be granted the variance.

If any information is missing or requires clarification, I can be reached by phone at 410-274-2205, email at acissejsiwel@gmail.com, or mail at 713 Hollow Road, Ellicott City, MD 21043.

Thank you for your assistance in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica L Hughes".

Jessica L Hughes

Enclosures: check and arguments for appeal approval



Arguments for why backyard chickens should be allowed at 713 Hollow Road:

1. Uniqueness of the property. We live in the neighborhood of Oella. Oella did not get indoor plumbing until 1984. Historically, mill workers lived here, and despite being so close to Baltimore, it still retains a rural feel. In addition to the uniqueness of the neighborhood, our specific property sits atop a hill with its backyard sloping down toward a wooded area (minimal visibility from neighbors). This wooded area extends down to Patapsco State Park. As such, we are almost contiguous (one street crossing required) with the park land, and therefore accessible to park wildlife. We have multiple fox dens within 50 yards of our house. These fox keep the population of all rodents in the area under control.
2. There is no other way to meet our goals. We used raised bed gardens to grow vegetables. We use integrated pest management techniques and companion plants to eliminate the need for pesticides in our garden. We would like to add a protein source to the food that we produce. Chickens require a small footprint, are relatively easy to care for, and would provide us with eggs, making them the perfect fit for our needs.
3. Chickens, in and of themselves, do not attract rats. Their feed does (as does any birdseed left out). Proper storage of feed takes care of this issue. Diseases carried by chickens that can be passed to humans are passed through contact with the bird itself, its feces, or its litter. Unless someone is trespassing on our property and enters the coop, there is minimal risk of the spread of disease. If a guest of ours interacts with the birds, they will be advised to wash their hands with soap and water immediately after handling the birds. (Source: <https://www.cdc.gov/healthypets/pets/farm-animals/backyard-poultry.html>) Hens are generally quiet animals except for the moments after laying an egg. Roosters can be loud. We do not intend to keep roosters. A well-maintained coop is not smelly beyond a 2 step circumference. Our home is only a few steps away from the coop, as compared to the nearest neighbor, who is 30 yards away. We will smell and deal with the smell long before any neighbors would become aware of it.

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

No. 174888

Date: 5/10/21

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		10150				\$ 300.00

Total: \$ 300.00

Rec From:

Jessica L. Hughes

For:

Office of Adm. Hearings - Appeal
 Case No. 2021-0054-A
 Address: 713 Hollow Road
 Hearing Date - Adm. Variance
 CK# 1095

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CHRISTOPHER J HUGHES
JESSICA LEWIS HUGHES
 808 CHARLES JAMES CIR
 ELLICOTT CITY, MD 21043-4706

06-07

695

7-163/520 MD
 5183

May 5, 2021
 Date

Pay to the
 Order of

Baltimore County, Maryland

\$ 300.00

Three hundred and 00/100

Dollars



Photo
 Safe
 Deposit
 Boxes on back

Bank of America

ACH R/T 052001633

For

Appeal Cas No 2021-0054-A

Jessica L. Hughes

⑆052001633⑆ 446003888702⑆0695

BLUE STAR 10

Harvard Clarke



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

May 6, 2021

Jessica L. Hughes – acissejsiwe1@gmail.com

RE: **APPEAL TO BOARD OF APPEALS**
Petition for Administrative Variance
Case No. 2021-0054-A
Property: 713 Hollow Road



Dear Ms. Hughes:

Please be advised that an appeal of the above-referenced case was filed in this Office on May 6, 2021. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Paul M. Mayhew".
PAUL M. MAYHEW

Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Attachment

C: Shirley McMonigle – samcmmon@nsa.gov

APPEAL

Petition for Administration Variance Case No.: 2021-0054-A

1st Election District, 1st Council District

Petition for Administration Variance – 2/25/2021

Zoning Description of Property (1 page)

Notice of Zoning Hearing – N/A

Certification of Publication – N/A

Certification of Posting by Sgt. Black – March 7, 2021 & March 20, 2021

Entry of Appearance by People's Counsel – N/A

Attendance Report – N/A

Zoning Advisory Committee Comments: State Highway – 3/14/2021 & DEPS 3/5/2021

Petitioner's Exhibits: N/A

Miscellaneous:

Cover Letter and Administrative Law Judge's Order Decision – April 7, 2021

Notice of Appeal & Check #695 for \$300 – Received on May 6, 2021

Cashier's Receipt – \$300 fee for Appeal

Donna Mignon

From: Donna Mignon
Sent: Thursday, May 6, 2021 11:07 AM
To: 'Jessica Lewis Hughes'
Subject: Case No: 2021-0054
Attachments: receipt for 713 Hollow Road.pdf

Good Morning,
Please find a copy of your receipt for filing the appeal.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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

No. 174888

Date: 5/10/21

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		10150				\$ 300.00

Total: \$ 300.00

Rec From: Jessica L. Hughes

For: Office of Adm. Hearings - Appeal
Case No: 2021-0054-A
Address: 713 Hollow Road
Hearing Date: - Adm. Variance
CR#: 51095

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CHRISTOPHER J HUGHES
JESSICA LEWIS HUGHES
808 CHARLES JAMES CIR
ELLICOTT CITY, MD 21043-4706

06-07

695

7-163/520 MD
5199

May 5, 2021
Date

Pay to the Order of Baltimore County, Maryland \$ 300.00
Three hundred and 00/100 ——— Dollars

Bank of America

ACH R/T 052001633

For: Appeal Case No 2021-0054-A

Jessica L. Hughes

⑆052001633⑆ 44600388870200695

Microfilm

713 Hollow Road
Ellicott City, Maryland 21043

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

May 5, 2021



Re: Petition for Administrative Variance Appeal
Case No. 2021-0054-A
Property: 713 Hollow Road

Dear Sir or Madame,

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Enclosed please find the following: a check for \$300, to pay for the appeal and a summary of our arguments for why we think we should be granted the variance.

If any information is missing or requires clarification, I can be reached by phone at 410-274-2205, email at acissejsiwei@gmail.com, or mail at 713 Hollow Road, Ellicott City, MD 21043.

Thank you for your assistance in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica L Hughes".

Jessica L Hughes

Enclosures: check and arguments for appeal approval



Arguments for why backyard chickens should be allowed at 713 Hollow Road:

1. Uniqueness of the property. We live in the neighborhood of Oella. Oella did not get indoor plumbing until 1984. Historically, mill workers lived here, and despite being so close to Baltimore, it still retains a rural feel. In addition to the uniqueness of the neighborhood, our specific property sits atop a hill with its backyard sloping down toward a wooded area (minimal visibility from neighbors). This wooded area extends down to Patapsco State Park. As such, we are almost contiguous (one street crossing required) with the park land, and therefore accessible to park wildlife. We have multiple fox dens within 50 yards of our house. These fox keep the population of all rodents in the area under control.
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Donna Mignon

From: Donna Mignon
Sent: Thursday, May 6, 2021 9:20 AM
To: 'Jessica Lewis Hughes'
Subject: RE: 713 Hollow Road - Case No. 2021-0054-A

Received. We will get everything together and send to the Board of Appeals. You will receive notification from the Board of Appeals.

From: Jessica Lewis Hughes <acissejsiwel@gmail.com>
Sent: Thursday, May 6, 2021 9:08 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Re: 713 Hollow Road - Case No. 2021-0054-A

CAUTION: This message from acissejsiwel@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I just dropped off my letter and check. Thanks for your help in figuring out the process!
Jessica

Jessica Hughes
410-274-2205

On May 4, 2021, at 9:13 AM, Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Good Morning,
You have until May 7th to file an appeal. You need to send a letter to our office indicating that you are appealing the Order and we will need a check for \$300.00 made payable to Baltimore County, Maryland. Please drop off the letter and check the lobby of our building. 105 West Chesapeake Avenue, Suite 103, (we are right beside the post office) we have a blue box out front with Office of Administrative Hearings on it.

Once you have dropped it off, please email us to let us know that you have done so, then we process this appeal and send your file to the Board of Appeals.

Thank you. Have a great day.

From: Jessica Lewis Hughes <acissejsiwel@gmail.com>
Sent: Tuesday, May 4, 2021 9:07 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Fwd: 713 Hollow Road - Case No. 2021-0054-A

CAUTION: This message from acissejsiwel@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I accidentally sent this to the wrong address last week!

Hi Donna,

I have a question about my appeals letter. Should I include information in it as to why I think my appeal should be granted, or will there be another opportunity to do that?

Thank you,
Jessica

Jessica Hughes
410-274-2205

On Apr 14, 2021, at 2:12 PM, Roz Johnson
<rvjohnson@baltimorecountymd.gov> wrote:

You're welcome.

From: Jessica Lewis Hughes [<mailto:acissejsiwei@gmail.com>]
Sent: Wednesday, April 14, 2021 1:39 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Roz Johnson <rvjohnson@baltimorecountymd.gov>; Debra Wiley
<dwiley@baltimorecountymd.gov>
Subject: Re: 713 Hollow Road - Case No. 2021-0054-A

CAUTION: This message from acissejsiwei@gmail.com originated from a non Baltimore County Government or n system. Hover over any links before clicking and use caution opening attachments.

Thank you so much for this information. I appreciate your help.
Jessica Hughes

On Tue, Apr 13, 2021 at 3:05 PM Donna Mignon
<dmignon@baltimorecountymd.gov> wrote:

Good Afternoon,

Ms. Hughes can file an appeal with our office. She needs to drop off a letter indicating she wishes to file an appeal along with a check in the amount of \$300.00 made payable to Baltimore County, Maryland for the cost of filing the appeal. She can drop it off in the box in our lobby. She has until May 7, 2021 to file an appeal. Once we receive the check and letter we will then send everything to the Board of Appeals.

If you have any other questions or concerns, please contact us by email or at 410-887-3868.

From: Roz Johnson <rvjohnson@baltimorecountymd.gov>
Sent: Tuesday, April 13, 2021 2:58 PM
To: Jessica Lewis Hughes <acissejsiwe@gmail.com>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: 713 Hollow Road - Case No. 2021-0054-A

Dear Jessica,

I spoke with my supervisor about your case. Since the Administrative Law Judge (ALJ) has ruled on this case, you would need to file an appeal through that office.

There is a 30-day time limit for filing an appeal.

To file an appeal, you would need to contact the ALJ's office and get that started as soon as possible.

The ALJ's office phone number is 410-887-3868. Debbie Wiley and Donna Mignon from that office are copied here so they can help you.

Yours truly,

Roz Johnson

Planner, Office of Zoning Review

Baltimore County, MD

111 W. Chesapeake Avenue, Room 124

Towson, Maryland 21204

(410) 887-3391

DISCLAIMER: THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS EMAIL/DOCUMENT, OR ANY INTERPRETATION THEREOF.



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www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Tuesday, May 4, 2021 9:13 AM
To: 'Jessica Lewis Hughes'
Cc: Debra Wiley
Subject: RE: 713 Hollow Road - Case No. 2021-0054-A

Good Morning,

You have until May 7th to file an appeal. You need to send a letter to our office indicating that you are appealing the Order and we will need a check for \$300.00 made payable to Baltimore County, Maryland. Please drop off the letter and check the lobby of our building. 105 West Chesapeake Avenue, Suite 103, (we are right beside the post office) we have a blue box out front with Office of Administrative Hearings on it.

Once you have dropped it off, please email us to let us know that you have done so, then we process this appeal and send your file to the Board of Appeals.

Thank you. Have a great day.

From: Jessica Lewis Hughes <acissejsiwel@gmail.com>
Sent: Tuesday, May 4, 2021 9:07 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Fwd: 713 Hollow Road - Case No. 2021-0054-A

CAUTION: This message from acissejsiwel@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I accidentally sent this to the wrong address last week!

Hi Donna,

I have a question about my appeals letter. Should I include information in it as to why I think my appeal should be granted, or will there be another opportunity to do that?

Thank you,
Jessica

Jessica Hughes
410-274-2205

On Apr 14, 2021, at 2:12 PM, Roz Johnson
<rvjohnson@baltimorecountymd.gov> wrote:

You're welcome.

From: Jessica Lewis Hughes [<mailto:acissejsiwei@gmail.com>]
Sent: Wednesday, April 14, 2021 1:39 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Roz Johnson <rvjohnson@baltimorecountymd.gov>; Debra Wiley
<dwiley@baltimorecountymd.gov>
Subject: Re: 713 Hollow Road - Case No. 2021-0054-A

CAUTION: This message from acissejsiwei@gmail.com originated from a non Baltimore County Government or non BCPL system. Hover over any links before clicking and use caution opening attachments.

Thank you so much for this information. I appreciate your help.
Jessica Hughes

On Tue, Apr 13, 2021 at 3:05 PM Donna Mignon
<dmignon@baltimorecountymd.gov> wrote:

Good Afternoon,

Ms. Hughes can file an appeal with our office. She needs to drop off a letter indicating she wishes to file an appeal along with a check in the amount of \$300.00 made payable to Baltimore County, Maryland for the cost of filing the appeal. She can drop it off in the box in our lobby. She has until May 7, 2021 to file an appeal. Once we receive the check and letter we will then send everything to the Board of Appeals.

If you have any other questions or concerns, please contact us by email or at 410-887-3868.

From: Roz Johnson <rvjohnson@baltimorecountymd.gov>
Sent: Tuesday, April 13, 2021 2:58 PM
To: Jessica Lewis Hughes <acissejsiwei@gmail.com>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon
<dmignon@baltimorecountymd.gov>
Subject: 713 Hollow Road - Case No. 2021-0054-A

Dear Jessica,

I spoke with my supervisor about your case. Since the Administrative Law Judge (ALJ) has ruled on this case, you would need to file an appeal through that office.

There is a 30-day time limit for filing an appeal.

To file an appeal, you would need to contact the ALJ's office and get that started as soon as possible.

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Yours truly,

Roy Johnson

Planner, Office of Zoning Review

Baltimore County, MD

111 W. Chesapeake Avenue, Room 124

Towson, Maryland 21204

(410) 887-3391

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Register for your COVID-19 vaccine today.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Tuesday, April 13, 2021 3:06 PM
To: Roz Johnson; Jessica Lewis Hughes
Cc: Debra Wiley
Subject: RE: 713 Hollow Road - Case No. 2021-0054-A

Good Afternoon,

Ms. Hughes can file an appeal with our office. She needs to drop off a letter indicating she wishes to file an appeal along with a check in the amount of \$300.00 made payable to Baltimore County, Maryland for the cost of filing the appeal. She can drop it off in the box in our lobby. She has until May 7, 2021 to file an appeal. Once we receive the check and letter we will then send everything to the Board of Appeals.

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Sent: Tuesday, April 13, 2021 2:58 PM
To: Jessica Lewis Hughes <acissejsiwei@gmail.com>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: 713 Hollow Road - Case No. 2021-0054-A

Dear Jessica,

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Yours truly,

Roz Johnson

Planner, Office of Zoning Review
Baltimore County, MD

111 W. Chesapeake Avenue, Room 124
Towson, Maryland 21204
(410) 887-3391

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From: Roz Johnson
Sent: Tuesday, April 13, 2021 2:58 PM
To: Jessica Lewis Hughes
Cc: Debra Wiley; Donna Mignon
Subject: 713 Hollow Road - Case No. 2021-0054-A

Dear Jessica,

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Roz Johnson

Planner, Office of Zoning Review
Baltimore County, MD

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JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

April 7, 2021

(Via Email: acissejsiwei@gmail.com)

Christopher J. Hughes
Jessica L. Hughes
713 Hollow Road
Ellicott City, MD 21043

RE: Petition for Administrative Variance
Case No. 2021-0054-A
Property: 713 Hollow Road

Dear Petitioners:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A blue ink signature of Paul M. Mayhew, written in a cursive style.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

c: Shirley McMonigle samcmonigle@aol.com; samcmon@nsa.gov

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(713 Hollow Road) *
1st Election District * OFFICE OF ADMINISTRATIVE
1st Council District *
Christopher J. & Jessica L. Hughes * HEARINGS FOR
Petitioners * BALTIMORE COUNTY
* CASE NO. 2021-0054-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Christopher J. and Jessica L. Hughes (“Petitioners”). The Petitioners are requesting Variance relief from § 100.6 of the Baltimore County Zoning Regulations (“BCZR”), to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. However, it is to be noted that an email was received on March 24, 2021 from Shirley McMonigle expressing her concerns about the Petitioners’ request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 7, 2021, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 4-7-21

By [Signature]

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). However, I must also consider the objections raised by Ms. McMonigle in her email. And I am also bound by the controlling law, which holds that "the authority to grant a variance should be exercised sparingly and only under exceptional circumstances." *Mueller v. People's Counsel for Baltimore County*, 177 Md. App. 43, 71(2007). This is because "a variance is an authorization for that which is prohibited by a zoning ordinance." *Cromwell v. Ward*, 102 Md. App. 691, 699 (1995). And because "citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). Therefore, "[t]he burden is on the applicant to show facts to warrant a variance," and "the specific need for the variance must be substantial and urgent and not merely for the convenience of the applicant." *Mueller v. People's Counsel for Baltimore County*, 177 Md. App. at 70.

Under BCZR § 307, and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, 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 is what necessitates the requested variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, supra. Finally, "unless there is a finding that the property is unique, unusual, or different, the process stops here and the variance is denied without any consideration of practical difficulty or unreasonable hardship." *Mueller, supra*, 177 Md. App. at 70.

In the instant case, the site plan and photographs fail to show that there is anything unique about this property. The Petitioners have therefore failed to meet the first prong of the legal analysis. Further, even if I were to reach the second prong, the record evidence does not support

ORDER RECEIVED FOR FILING

Date

4-7-21

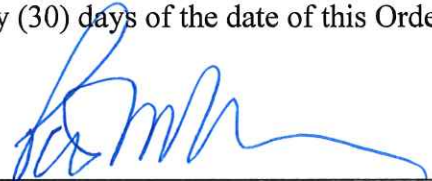
By

low

a finding that Petitioners' need for this variance is "substantial and urgent." *Mueller, supra*, 177 Md. App. at 70. I understand that the Hughes have many good reasons for wanting to raise chickens on their property. However, I must also consider the rights of their neighbors, who are entitled to "strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). The existing zoning regulations require an acre of property to raise chickens, and in this case the Hughes' lot is only three quarters of an acre.

THEREFORE, IT IS ORDERED, this 7th day of **April, 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 100.6 of the Baltimore County Zoning Regulations ("BCZR") to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size, be and is hereby DENIED.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING

Date 4-7-21

By [Signature]

Debra Wiley

From: Debra Wiley
Sent: Wednesday, April 7, 2021 10:06 AM
To: 'acissejsiwei@gmail.com'
Cc: samcmonigle@aol.com; 'Mcmonigle, Shirley A'
Subject: Case No. 2021-0054-A - 713 Hollow Road - Hughes
Attachments: 20210405114949077.pdf

Good Morning,

Please find attached ALJ Mayhew's decision in reference to the above matter.

Have a great and safe day.

Donna Mignon

From: Administrative Hearings
Sent: Wednesday, March 24, 2021 9:06 AM
To: Mcmonigle, Shirley A; Administrative Hearings
Cc: samcmonigle@aol.com
Subject: RE: Zoning Variance Concerns

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. McMonigle,

Your email has been received and will be included in the case file for the judge's review.

Thank you for contacting the Office of Administrative Hearings and have a great and safe day.

From: Mcmonigle, Shirley A
Sent: Wednesday, March 24, 2021 8:59 AM
To: Administrative Hearings
Cc: samcmonigle@aol.com
Subject: Zoning Variance Concerns

CAUTION: This message from samcmon@nsa.gov originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please accept my concerns in case number 202110054A.

First of all, the notification signs had very small print regarding contact information, and I don't know whether this is by design or not. Even stopping with my head out of the window of the car I could not read the information.

My concerns (not in priority order):

- 1) Any noise or foul smell that chickens (or roosters) would make as I live very close by at 800 Charles James Circle.
- 2) Any additional rodents or wild animals that may be attracted to this livestock.
- 3) Any possibility of virus – per a Wall Street Journal report, even China once prohibited the export of backyard chickens/eggs due to H1N1 virus issues. We are not even yet over the COVID-19 pandemic and I do not want to be involved in another pandemic.

Can you please keep me informed of any approvals or disapproval?

Thanks,

Debra Wiley

From: Administrative Hearings
Sent: Wednesday, March 24, 2021 9:06 AM
To: Mcmonigle, Shirley A; Administrative Hearings
Cc: samcmonigle@aol.com
Subject: RE: Zoning Variance Concerns

Ms. McMonigle,

Your email has been received and will be included in the case file for the judge's review.

Thank you for contacting the Office of Administrative Hearings and have a great and safe day.

From: Mcmonigle, Shirley A <samcmon@nsa.gov>
Sent: Wednesday, March 24, 2021 8:59 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: samcmonigle@aol.com
Subject: Zoning Variance Concerns

CAUTION: This message from samcmon@nsa.gov originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

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Can you please keep me informed of any approvals or disapproval?

Thanks,

Shirley McMonigle

District: 01



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 01 Account Number - 2100014975		
Owner Information		
Owner Name:	MCMONIGLE SHIRLEY ANN	Use: RESIDENTIAL
Mailing Address:	800 CHARLES JAMES CIR ELLCOTT CITY MD 21043-4706	Principal Residence: YES Deed Reference: /27212/ 00486
Location & Structure Information		
Premises Address:	800 CHARLES JAMES CIR ELLCOTT CITY 21043-4706	Legal Description: .0885 AC 800 CHARLES JAMES CIR TIMBER POINT
Map: 0100	Grid: 0009	Parcel: 1232
Neighborhood: 1040062.04	Subdivision: 0000	Section: 1
Block: 1	Lot: 2019	Assessment Year: 0062/ 0150
Plat No: 0062/ 0150		
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1993	1,876 SF	500 SF
Property Land Area	County Use	
3,853 SF	04	
Stories	Basement	Type
2	YES	END UNIT
Exterior	Quality	Full/Half Bath
FRAME/	5	3 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2019
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	105,000	145,000
Improvements	283,100	259,600
Total:	388,100	404,600
Preferential Land:	0	0
Transfer Information		
Seller: COLLINS JOHN BEMBREY	Date: 07/30/2008	Price: \$405,000
Type: ARMS LENGTH IMPROVED	Deed1: /27212/ 00486	Deed2:
Seller: PAKULLA ERIC TODD	Date: 11/22/2004	Price: \$435,000
Type: ARMS LENGTH IMPROVED	Deed1: /21014/ 00198	Deed2:
Seller: JUDE COLLEEN D	Date: 01/06/1998	Price: \$175,000
Type: NON-ARMS LENGTH OTHER	Deed1: /12586/ 00754	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 12/15/2009		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

March 23, 2021

Jessica L. Hughes,
713 Hollow Road
Ellicott City MD 21043

RE: Case Number: 2021-0054-A, 713 Hollow Road

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 25, 2021. This letter is not an approval, but only a NOTIFICATION.

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

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

Very truly yours,

A handwritten signature in black ink that reads "Jeffrey Perlow".

Jeff Perlow
Acting Supervisor
Department of Zoning

PCG

Enclosures

CC: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

March 14, 2021

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

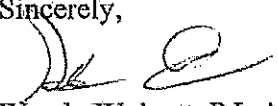
Dear Ms. Lewis:

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. 2021-0054-A

Jessica & Christopher Hughes
713 Hollow Rd.

If there are any questions, please contact Mr. Steven Autry at 410-229-2335, or toll free (in Maryland only) at 1-800-735-2258 (x2335), or via email at sautry@mdot.maryland.gov

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 Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 5, 2021

SUBJECT: DEPS Comment for Zoning Item # 2021-0054-A
Address 713 HOLLOW RD
(JESSICA & CHRISTOPHER HUGHES Property)

Zoning Advisory Committee Meeting of March 1, 2021.

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

Additional Comments:

Reviewer: Joyce Redman

(Av) 3-22-21

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, March 21, 2021 5:39 PM
To: Administrative Hearings
Subject: Recertification's For 2021-0054-A
Attachments: Re-Cert 1 2021-0054-A.doc; Re-Cert 2 2021-0054-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 713 Hollow Road. Thanks.

CERTIFICATE OF POSTING

2021-0054-A

RE: Case No.: _____

Petitioner/Developer: _____

Jessica & Christopher Hughes

March 22, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

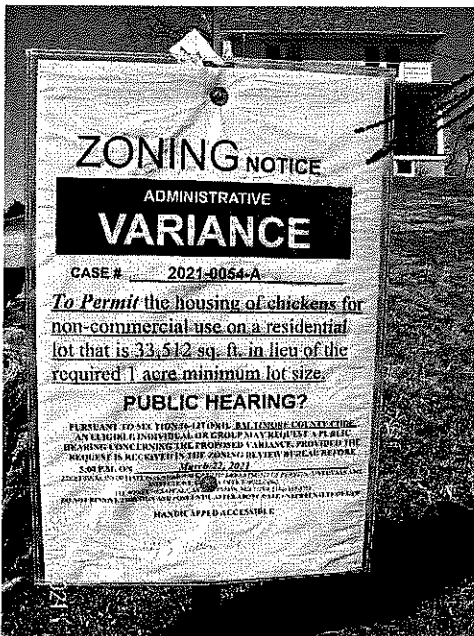
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

713 Hollow Road

SIGN 1 Recertification

March 7, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

March 20, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2021-0054-A

RE: Case No.: _____

Petitioner/Developer: _____

Jessica & Christopher Hughes

March 22, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

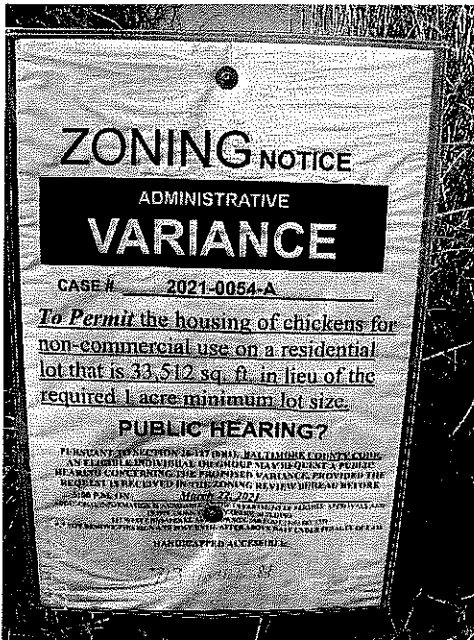
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

713 Hollow Road

SIGN 2 Recertification

March 7, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

March 20, 2021

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING



2021-0054-A

JOHN A. OLSZEWSKI, JR.
County Executive

Case No.: _____
Petitioner/Developer: C. PETE GUTWALD, AICP, Director
Jessica & Christopher Hughes
Department of Permits,
Approvals & Inspections

March 22, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

713 Hollow Road

SIGN 1

March 7, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

March 7, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING



2021-0054-A

JOHN A. OLSZEWSKI, JR.
County Executive

Petitioner/Developer: C. PETE GUTWALD, AICP, Director
Jessica & Christopher Hughes
Department of Permits,
Approvals & Inspections

March 22, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

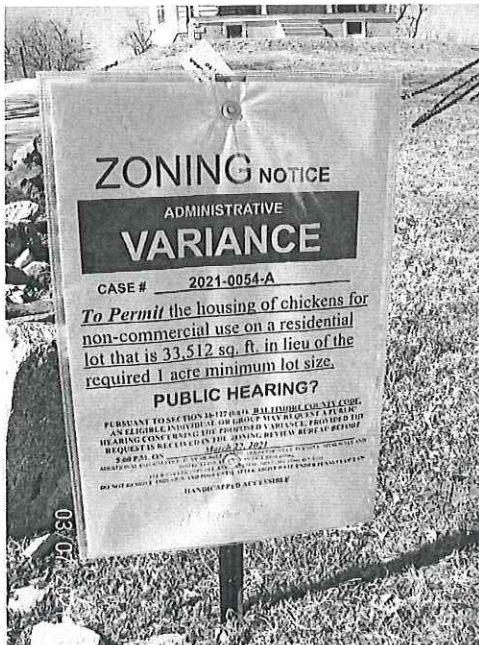
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

713 Hollow Road

SIGN 2

March 7, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

March 7, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

A-7-3/22/21

CASE NO. 2021-0054-A

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

<u>3/5</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
	DEPS (if not received, date e-mail sent _____)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent _____)	
<u>3-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: Block by 3-26-21SIGN POSTING (2nd) Date: _____ by _____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
Special Tax Recapture: None		
Account Identifier: District - 01 Account Number - 2200008987		
Owner Information		
Owner Name:	HUGHES CHRISTOPHER J HUGHES JESSICA L	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	713 HOLLOW RD ELLCOTT CITY MD 21043-4717	Deed Reference: /42992/ 00378
Location & Structure Information		
Premises Address:	713 HOLLOW RD ELLCOTT CITY 21043-4717	Legal Description: .7692 AC 713 HOLLOW RD NWS 163 NE CHARLES JAMES CI
Map: 0100	Grid: 0009	Parcel: 0860
Neighborhood: 1040062.04	Subdivision: 0000	Section: 1
Block: 1	Lot: 2019	Assessment Year: MS
Town: None		Plat No: MS
Plat Ref:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1992	2,186 SF	Property Land Area
		33,510 SF
County Use		04
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	5	2 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2019
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	139,800	167,800
Improvements	399,800	288,500
Total:	539,600	456,300
Preferential Land:	0	0
Transfer Information		
Seller: REDFERN PAMELA DIANE	Date: 06/17/2020	Price: \$565,000
Type: ARMS LENGTH IMPROVED	Deed1: /42992/ 00378	Deed2:
Seller: ANTONIADES STEPHEN N	Date: 12/04/2000	Price: \$292,000
Type: ARMS LENGTH IMPROVED	Deed1: /14842/ 00377	Deed2:
Seller: G Y C BUILDERS I NC	Date: 04/03/1992	Price: \$234,898
Type: ARMS LENGTH IMPROVED	Deed1: /09122/ 00765	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

ZAC AGENDA

Case Number: 2021-0053-A **Reviewer:** Rosalie Johnson
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: Kensington Associates
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 4622 WILKENS AVE

Location: At the North East corner of the intersection of Wilkens Ave and Maiden Choice Lane.

Existing Zoning: BL

Area: 11.89 SQ FT

Proposed Zoning:

VARIANCE:

Section 232.1 of the Baltimore County Zoning Regulations to permit a front setback of 5.62' in lieu of the required 10'.
Section 409.8.A.1 Of the Baltimore County Zoning Regulation to provide a landscape setback of 0.00' in lieu of the required 10'.

Attorney: Adam D. Baker

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2021-0054-A **Reviewer:** Rosalie Johnson
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Jessica & Christopher Hughes
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 713 HOLLOW RD

Location: South Glen Ave on West side of Hollow Road.

Existing Zoning: DR 2, DR 3.5

Area: 33,512 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

Section 100.6 of BCZR To permit the housing of chickens for non-commercial use on a residential Lot that is 33,512 sq ft in lieu of the required 43,560 sq ft (1 acre) min Lot size.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/22/2021

Miscellaneous Notes:



View of proposed coop from edge of
driveway at 717.

1/30/21

2021-0054-A



View of proposed coop from our (713)
sliding glass doors.

1/30/21

2021-0054-A



Looking toward #717 from proposed coop
location. (That is our (713) sliding glass door
on the right.)
(Looking SE)

1/30/21

2021-0054-A



Looking East from proposed coop location.

1/30/21

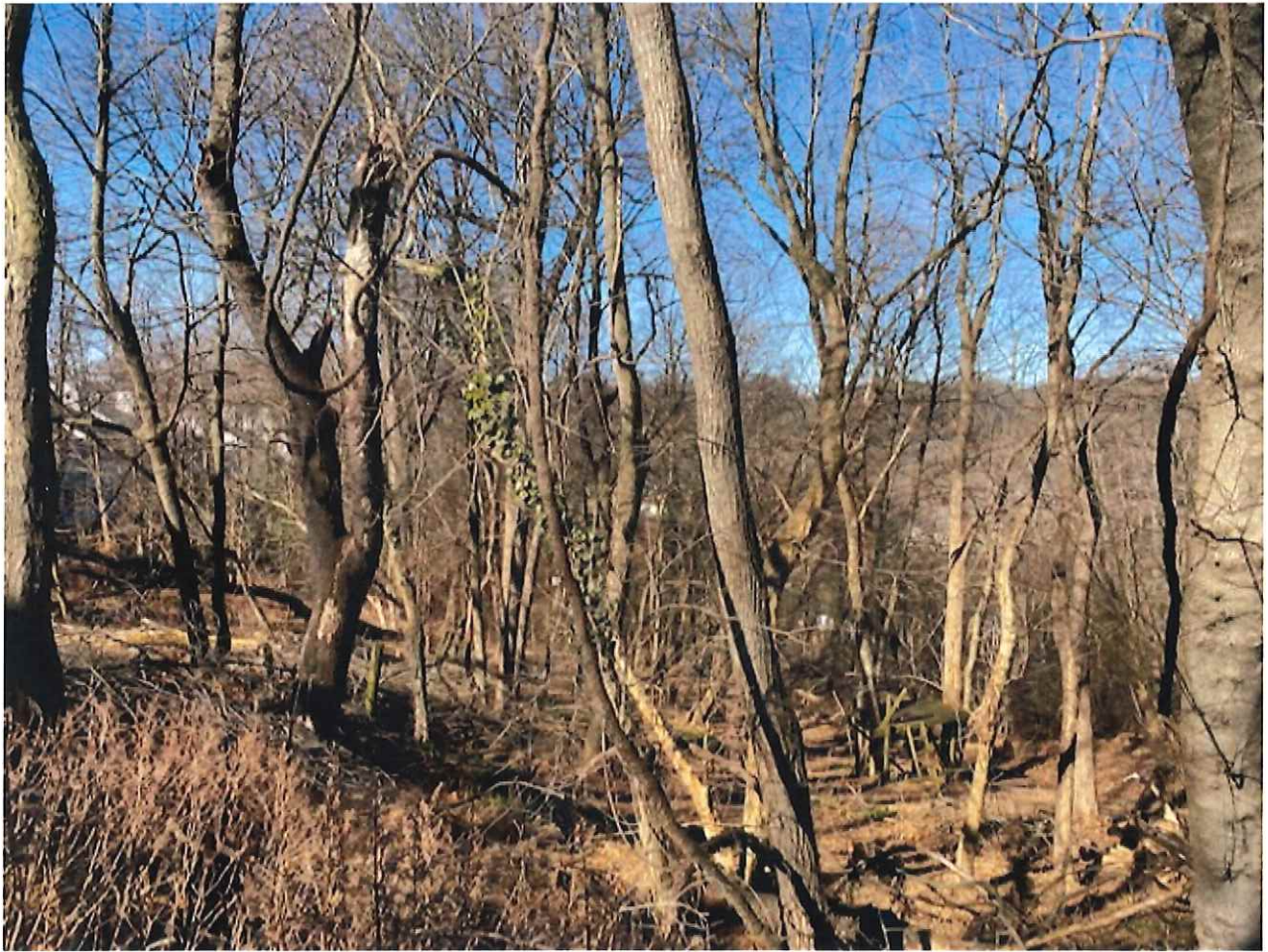
2021-0054-A



Looking West from proposed
coop site. (Deck of 713
visible on left.)

1/30/21

2021-0054-A

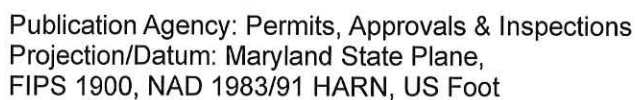


Looking North from proposed coop location.
1/30/2021

2021-0054-A



2021-0054-A



1 inch = 60 feet

PLAT BOOK # MS FOLIO # 10 DIGIT TAX # 220 00 0898 DEED REF. # 42992/00378

SITE VICINITY MAP

Howard County

Potomac River

Glen Ave.

Hollow Rd.

Westchester Ave.

Frederick Rd.

project site

Ballantyne Charles Farm, Inc.

North Co.

N

1

MAP IS NOT TO SCALE

ZONING MAP#100 B 1

SITE ZONED DR 2/DR 3.5

ELECTION DISTRICT 1

COUNCIL DISTRICT 1

LOT AREA ACREAGE

OR SQUARE FEET 33,510

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? *Yes*

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

2002-0352-A

Variance grante

for deck

VIOLATION CASE INFO:

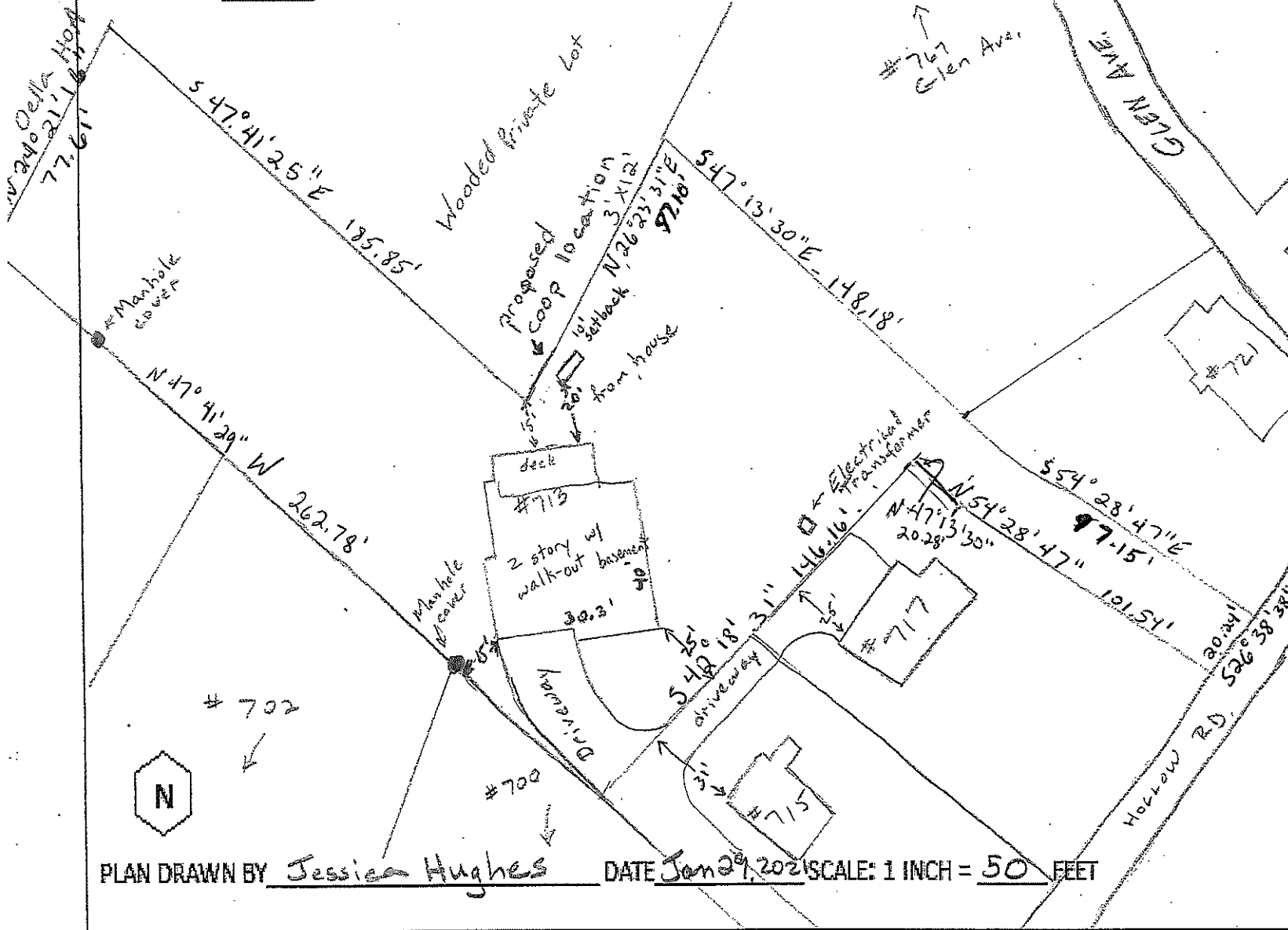
MA

PLAN DRAWN BY Jessica Hughes DATE Jan 29, 2021 SCALE: 1 INCH = 50 FEET

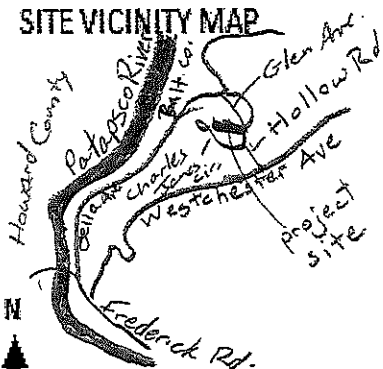
2021-0054-A

Pet. Exh. 1

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 713 Hollow Road OWNER(S) NAME(S) Jessica + Christopher Hughes
 SUBDIVISION NAME _____ LOT # 1 BLOCK # N/A SECTION # N/A
 PLAT BOOK # MS FOLIO # _____ 10 DIGIT TAX # 220 00 0898 DEED REF. # 42992100378



PLAN DRAWN BY Jessica Hughes DATE Jan 29, 2021 SCALE: 1 INCH = 50 FEET



MAP IS NOT TO SCALE

ZONING MAP # 100 B 1
 SITE ZONED DR 2/DR 3.5
 ELECTION DISTRICT 1
 COUNCIL DISTRICT 1
 LOT AREA ACREAGE _____
 OR SQUARE FEET 33,510
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS: PUBLIC ☒ PRIVATE _____
 SEWER IS: PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? Yes
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
2002-0352-A
Variance granted
for deck

VIOLATION CASE INFO:

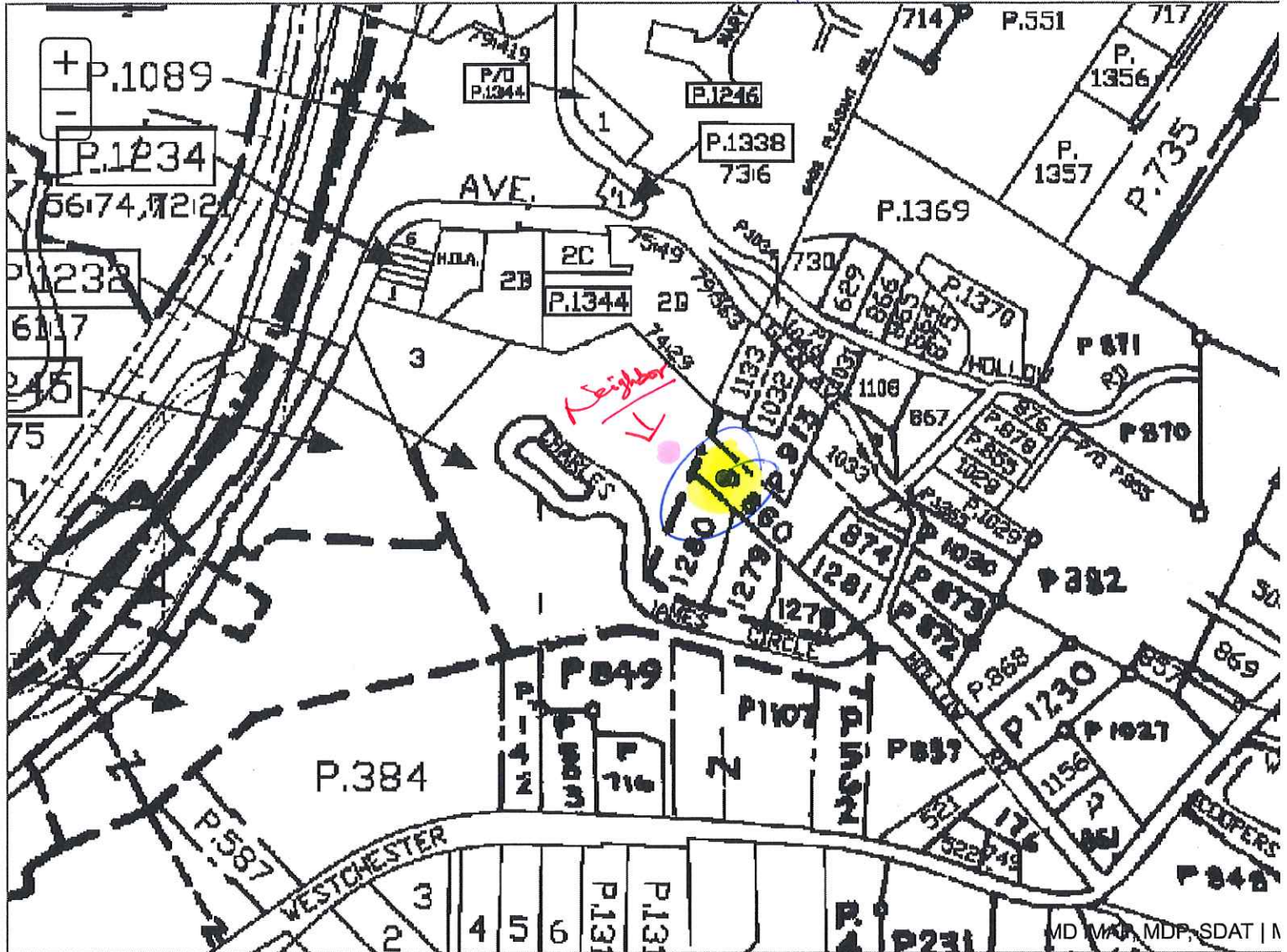
N/A

2021-0054-A

Hughes
New Search

District: 01 Account Number: 2200008987

713 Hollow Rd.



For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 713 Hollow Road Currently zoned DR 2
 Deed Reference 42992 100378 10 Digit Tax Account # 2200008987
 Owner(s) Printed Name(s) Jessica + Christopher Hughes

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s) 100.6 OF BCZR - TO PERMIT THE HOUSING OF CHICKENS FOR NON-COMMERCIAL USE ON A RESIDENTIAL LOT THAT IS 33,512 S.F. IN LIEU OF THE REQUIRED 43,560 S.F. (1 ACRE) MIN. LOT SIZE,
 of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Jessica L. Hughes / Christopher J. Hughes
 Name #1 – Type or Print Name #2 – Type or Print

Jessica L. Hughes / Christopher J. Hughes
 Signature #1 Signature #2

713 Hollow Rd. Ellicott City MD
 Mailing Address City State

21043 / 410-274-2205 / jacissejswel@gmail.com
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 15 day of April, 2021 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2021-0054-A Filing Date 2/25/2021 Estimated Posting Date 3/7/2021 Reviewer RJ

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 713 Hollow Rd. Ellicott City MD 21043
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Our family would like permission to put up a chicken coop to house five (5) hens on our property. We live on 3/4 of an acre in the community of Oella. The chicken coop will stand along the forested edge on the north side of our house. Due to current zoning laws, the land beyond our property line is either undevelopable or part of an open tract owned by the Oella HOA. Other households within a 1000 foot radius have chickens, so they would not be a new addition to the neighborhood. We would like hens for two main reasons. First, they would provide us with a source of healthful, ethically raised food when we harvest the eggs. Second, they would further the education of our daughter in a number of ways. She would learn about animal care, food sourcing, nutrition, and the environmental impacts of one's choices.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Jessica L. Hughes
Signature of Owner (Affiant)
Jessica L. Hughes
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Caris Hughes
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

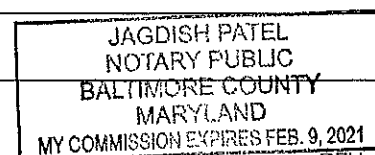
I HEREBY CERTIFY, this 15th day of Feb, 2021, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: JAGDISH K PATEL

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

J. Patel
Notary Public
Feb 9th 2021
My Commission Expires



ZONING PROPERTY DESCRIPTION FOR 713 Hollow Road, Ellicott City, Maryland 21043.

Part A:

Beginning at the point on the west side of Hollow Road which 15 feet wide at a distance of 200 feet north of Charles James Circle which is 22 feet wide.

Part B, Option 1:

Beginning for the same at the southerly end of the first or South 40 degrees 39 minutes East 183.98 foot line of the Second parcel described in a Deed dated September 12, 1990 from Charles W. Reedy, Jr. and Paul Edwin Reedy, Personal Representatives of the Estate of Mary P. Reedy, deceased, to GYC Builders, Inc. and recorded among the Land Records of Baltimore County, Maryland in Liber No. 8604 at folio 761 thence binding on the second and third lines of said Second Parcel for the following two courses and distances, (1) North 26 degrees 23 minutes 31 seconds East, 97.10 feet; (2) South 47 degrees 13 minutes 30 seconds East, 148.18 feet to the easterly end of the fourth or North 57 $\frac{3}{4}$ degrees East 5 $\frac{3}{4}$ perch line of the Fourth Parcel of the aforementioned Deed recorded in Liber No. 8604, at folio 761; thence binding on the fifth and on a portion of the first line of said Fourth Parcel for the following two courses and distances, (3) South 54 degrees 28 minutes 47 seconds East 97.15 feet; (4) South 26 degrees 38 minutes 38 Seconds West 20.24 feet, binding on the westerly side of Hollow Road; thence leaving said First line and Hollow Road and running for lines of division through the aforementioned Second and Fourth Parcels for the following three courses and distances, (5) North 54 degrees 28 minutes 47 seconds West, 101.54 feet; (6) North 47 degrees 13 minutes 30 seconds West 20.28 feet; (7) South 42 degrees 18 minutes 31 seconds West, 146.16 feet to a point on the eighth or North 40 degrees 39 minutes West, 423.22 foot line of the aforementioned Second Parcel, 160.44 feet from the beginning thereof; thence binding thereon (8) North 47 degrees 41 minutes 29 seconds West, 262.78 feet to the end thereof and to the beginning of the first or North 47 degrees 41 minutes 29 seconds West 1.49 foot line of a Quitclaim Deed dated July 30, 1990 from Charles L Wagandt to Charles W. Reedy, Jr. and Paul E. Reedy, Personal Representatives of Mary P. Reedy, deceased, and recorded among the Land Records of Baltimore County in Liber No. 8604 at folio 751, thence binding on the first through the third lines of said Deed, for the following three courses and distances, (9) North 47 degrees 41 minutes 29 seconds west 1.49 feet; (10) North 24 degrees 21 minutes 16 seconds East 77.61 feet; (11) South 47 degrees 41 minutes 29 seconds East 1.85 feet to the beginning of the first line of the Second Parcel described in the aforementioned Deed recorded in Liber No. 8604, folio 761; thence binding on said first line, (12) South 47 degrees 41 minutes 29 seconds East, 183.98 feet to the point of beginning. Containing 33, 510 SF. Located in the Election District 1 and Council District 1.

2021-0054-A

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(713 Hollow Road) *
1st Election District * OFFICE OF ADMINISTRATIVE
1st Council District *
Christopher J. & Jessica L. Hughes * HEARINGS FOR
Petitioners *
* BALTIMORE COUNTY
* CASE NO. 2021-0054-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Christopher J. and Jessica L. Hughes (“Petitioners”). The Petitioners are requesting Variance relief from § 100.6 of the Baltimore County Zoning Regulations (“BCZR”), to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. However, it is to be noted that an email was received on March 24, 2021 from Shirley McMonigle expressing her concerns about the Petitioners’ request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 7, 2021, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 4-7-21

By [Signature]

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). However, I must also consider the objections raised by Ms. McMonigle in her email. And I am also bound by the controlling law, which holds that "the authority to grant a variance should be exercised sparingly and only under exceptional circumstances." *Mueller v. People's Counsel for Baltimore County*, 177 Md. App. 43, 71(2007). This is because "a variance is an authorization for that which is prohibited by a zoning ordinance." *Cromwell v. Ward*, 102 Md. App. 691, 699 (1995). And because "citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). Therefore, "[t]he burden is on the applicant to show facts to warrant a variance," and "the specific need for the variance must be substantial and urgent and not merely for the convenience of the applicant." *Mueller v. People's Counsel for Baltimore County*, 177 Md. App. at 70.

Under BCZR § 307, and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, 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 is what necessitates the requested variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, supra. Finally, "unless there is a finding that the property is unique, unusual, or different, the process stops here and the variance is denied without any consideration of practical difficulty or unreasonable hardship." *Mueller, supra*, 177 Md. App. at 70.

In the instant case, the site plan and photographs fail to show that there is anything unique about this property. The Petitioners have therefore failed to meet the first prong of the legal analysis. Further, even if I were to reach the second prong, the record evidence does not support

ORDER RECEIVED FOR FILING

Date

4-17-21

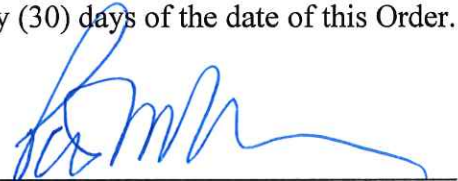
By

low

a finding that Petitioners' need for this variance is "substantial and urgent." *Mueller, supra*, 177 Md. App. at 70. I understand that the Hughes have many good reasons for wanting to raise chickens on their property. However, I must also consider the rights of their neighbors, who are entitled to "strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965). The existing zoning regulations require an acre of property to raise chickens, and in this case the Hughes' lot is only three quarters of an acre.

THEREFORE, IT IS ORDERED, this 7th day of **April, 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 100.6 of the Baltimore County Zoning Regulations ("BCZR") to permit the housing of chickens for non-commercial use on a residential lot that is 33,512 sq. ft. in lieu of the required 43,560 sq. ft. (1 acre) minimum lot size, be and is hereby DENIED.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING

Date 4-7-21

By [Signature]



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

April 7, 2021

(Via Email: acissejsiwe1@gmail.com)

Christopher J. Hughes
Jessica L. Hughes
713 Hollow Road
Ellicott City, MD 21043

RE: Petition for Administrative Variance
Case No. 2021-0054-A
Property: 713 Hollow Road

Dear Petitioners:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A blue ink signature of Paul M. Mayhew, written in a cursive style.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

c: Shirley McMonigle

samcmonigle@aol.com; samcmon@nsa.gov



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

RJ
21-217

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 713 Hollow Road Currently zoned DR 2
 Deed Reference 42992 100378 10 Digit Tax Account # 2200008987
 Owner(s) Printed Name(s) Jessica + Christopher Hughes

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s) 100.6 OF BCZR - TO PERMIT THE HOUSING OF CHICKENS FOR NON-COMMERCIAL USE ON A RESIDENTIAL LOT THAT IS 33,512 S.F. IN LIEU OF THE REQUIRED 43,560 S.F. (1 ACRE) MIN. LOT SIZE,
 of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Jessica L. Hughes , Christopher J. Hughes
 Name #1 – Type or Print Name #2 – Type or Print

Jessica L. Hughes , [Signature]
 Signature #1 Signature #2

713 Hollow Rd. Ellicott City MD
 Mailing Address City State
21043 , 410-274-2205 jacissejiwe@gmail.com
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Name – Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 15 day of April, 2021 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2021-0054-A Filing Date 2/25/2021 Estimated Posting Date 3/17/2021 Reviewer RJ

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 713 Hollow Rd. Ellicott City MD 21043
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Our family would like permission to put up a chicken coop to house five (5) hens on our property. We live on 3/4 of an acre in the community of Oella. The chicken coop will stand along the forested edge on the north side of our house. Due to current zoning laws, the land beyond our property line is either undevelopable or part of an open tract owned by the Oella HOA. Other households within a 1000 foot radius have chickens, so they would not be a new addition to the neighborhood. We would like hens for two main reasons. First, they would provide us with a source of healthful, ethically raised food when we harvest the eggs. Second, they would further the education of our daughter in a number of ways. She would learn about animal care, food sourcing, nutrition, and the environmental impacts of one's choices.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Jessica L. Hughes
Signature of Owner (Affiant)
Jessica L. Hughes
Name- Print or Type

Chris Hughes
Signature of Owner (Affiant)
Chris Hughes
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

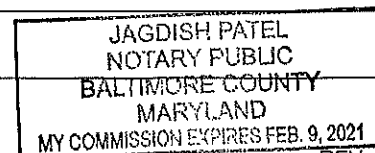
I HEREBY CERTIFY, this 15th day of Feb, 2021, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: JAGDISH K PATEL

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

J. Patel
Notary Public
Feb 9th 2021
My Commission Expires



ZONING PROPERTY DESCRIPTION FOR 713 Hollow Road, Ellicott City, Maryland 21043.

Part A:

Beginning at the point on the west side of Hollow Road which 15 feet wide at a distance of 200 feet north of Charles James Circle which is 22 feet wide.

Part B, Option 1:

Beginning for the same at the southerly end of the first or South 40 degrees 39 minutes East 183.98 foot line of the Second parcel described in a Deed dated September 12, 1990 from Charles W. Reedy, Jr. and Paul Edwin Reedy, Personal Representatives of the Estate of Mary P. Reedy, deceased, to GYC Builders, Inc. and recorded among the Land Records of Baltimore County, Maryland in Liber No. 8604 at folio 761 thence binding on the second and third lines of said Second Parcel for the following two courses and distances, (1) North 26 degrees 23 minutes 31 seconds East, 97.10 feet; (2) South 47 degrees 13 minutes 30 seconds East, 148.18 feet to the easterly end of the fourth or North 57 $\frac{3}{4}$ degrees East 5 $\frac{3}{4}$ perch line of the Fourth Parcel of the aforementioned Deed recorded in Liber No. 8604, at folio 761; thence binding on the fifth and on a portion of the first line of said Fourth Parcel for the following two courses and distances, (3) South 54 degrees 28 minutes 47 seconds East 97.15 feet; (4) South 26 degrees 38 minutes 38 Seconds West 20.24 feet, binding on the westerly side of Hollow Road; thence leaving said First line and Hollow Road and running for lines of division through the aforementioned Second and Fourth Parcels for the following three courses and distances, (5) North 54 degrees 28 minutes 47 seconds West, 101.54 feet; (6) North 47 degrees 13 minutes 30 seconds West 20.28 feet; (7) South 42 degrees 18 minutes 31 seconds West, 146.16 feet to a point on the eighth or North 40 degrees 39 minutes West, 423.22 foot line of the aforementioned Second Parcel, 160.44 feet from the beginning thereof; thence binding thereon (8) North 47 degrees 41 minutes 29 seconds West, 262.78 feet to the end thereof and to the beginning of the first or North 47 degrees 41 minutes 29 seconds West 1.49 foot line of a Quitclaim Deed dated July 30, 1990 from Charles L Wagandt to Charles W. Reedy, Jr. and Paul E. Reedy, Personal Representatives of Mary P. Reedy, deceased, and recorded among the Land Records of Baltimore County in Liber No. 8604 at folio 751, thence binding on the first through the third lines of said Deed, for the following three courses and distances, (9) North 47 degrees 41 minutes 29 seconds west 1.49 feet; (10) North 24 degrees 21 minutes 16 seconds East 77.61 feet; (11) South 47 degrees 41 minutes 29 seconds East 1.85 feet to the beginning of the first line of the Second Parcel described in the aforementioned Deed recorded in Liber No. 8604, folio 761; thence binding on said first line, (12) South 47 degrees 41 minutes 29 seconds East, 183.98 feet to the point of beginning. Containing 33, 510 SF. Located in the Election District 1 and Council District 1.

2021-0054-A



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

March 23, 2021

Jessica L. Hughes,
713 Hollow Road
Ellicott City MD 21043

RE: Case Number: 2021-0054-A, 713 Hollow Road

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 25, 2021. This letter is not an approval, but only a NOTIFICATION.

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

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

Very truly yours,

A handwritten signature in black ink that reads "Jeffrey Perlow". The signature is written in a cursive style with a large, stylized "J" and "P".

Jeff Perlow
Acting Supervisor
Department of Zoning

PCG

Enclosures

CC: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

March 14, 2021

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

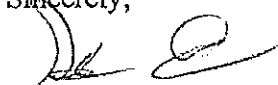
Dear Ms. Lewis:

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. 2021-0054-A

Jessica & Christopher Hughes
713 Hollow Rd.

If there are any questions, please contact Mr. Steven Autry at 410-229-2335, or toll free (in Maryland only) at 1-800-735-2258 (x2335), or via email at sautry@mdot.maryland.gov.

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 Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 5, 2021

SUBJECT: DEPS Comment for Zoning Item # 2021-0054-A
Address 713 HOLLOW RD
(JESSICA & CHRISTOPHER HUGHES Property)

Zoning Advisory Committee Meeting of March 1, 2021.

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

Additional Comments:

Reviewer: Joyce Redman

Address List

Petitioner/Appellant:

Christopher J. and Jessica L. Hughes
713 Hollow Road
Ellicott City, MD 21043
410-274-2205
Jessica - acissejsiwel@gmail.com

Protestant:

Shirley McMonigle
800 Charles James Circle
Ellicott City, MD 21043
samcmon@nsa.gov

Interoffice:

Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
James R. Benjamin, Jr., County Attorney/Office of Law