

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(3930 Sybill Road)		
2 nd Election District	*	OFFICE OF
4 th Council District		
Pierre V., Jr. & Sherree A. Burton	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>		
Petitioners	*	FOR BALTIMORE COUNTY
	*	Case No. 2018-0225-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Pierre V. Jr., & Sherree A. Burton, legal owners (“Petitioners”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R”) to permit an existing non-conforming pigeon coop on a residentially zoned property that is less than one acre.

Pierre V. Jr., & Sherree A. Burton appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the reviewing agencies. A site plan was marked and admitted as Petitioners’ Exhibit 1.

According to the site plan the subject property is approximately 11,076 sq. ft. in size and zoned DR 3.5. The property is improved with a single-family dwelling constructed in 1970. Petitioners purchased the property in 2001, and the pigeons were acquired shortly thereafter. Mr. Burton explained he has enjoyed raising and racing pigeons since he was a child, and he described the long-distance races he attends where the birds will fly hundreds of miles and return to the coop in his back yard. He stated the coop is kept extremely clean and is well-maintained. Petitioners

have not received complaints from neighbors or others in the 15+ years they have owned the pigeons.

THEREFORE, IT IS ORDERED this 24th day of **April, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to permit an existing non-conforming pigeon coop on a residentially zoned property that is less than one acre, be and is hereby GRANTED.

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

_____Signed_____
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln