

IN THE MATTER OF
CRAIG A. BALUNSAT
(Appeal)

BEFORE THE CECIL COUNTY
BOARD OF APPEALS
CASE NO.: 3615

OPINION

This matter arises out of an appeal filed by Craig A. Balunsat (“Balunsat” or, the “Appellant”) from the Zoning Administrator’s decision not to accept for filing an application for special exception from the provisions of *Cecil County Zoning Ordinance, Article V, Part I, Section 58* (the “Ordinance”) related to animal husbandry at real property located at 433 Basil Avenue, Chesapeake City, Maryland 21915, Election District 2, Tax Map 43, Parcel 408 (the “Property”). The Property is presently zoned Rural Residential (“RR”), and is owned by Craig A. Balunsat.

An appeal from any final order or decision of the Compliance Inspector may be taken to the Board of Appeals by any person aggrieved. *Cecil County Zoning Ordinance, Article XVII, Part I, Section 305*. An appeal is taken by filing with the Zoning Administrator and the Board of Appeals a written notice of appeal specifying the grounds therefore. A notice of appeal shall be considered filed with the Zoning Administrator and the Board of Appeals when delivered to the Office of Planning and Zoning and when the application fee is paid. *Id.* The date and time of filing shall be entered on the notice by the Zoning Administrator or other staff members. *Id.* An appeal must be filed within fifteen (15) days after the date of the Compliance Inspector’s or Zoning Administrator’s decision; whenever an appeal is filed, the Zoning Administrator shall forthwith transmit to the Board of Appeals all the papers constituting the record relating to the action appealed from. *Id.*

Before making a decision on an appeal or an application for a variance, special exception, or a petition from the Zoning Administrator or Director of Planning to revoke a special exception, the Board of Appeals shall hold a hearing on the appeal or application in accordance with its policies for submission deadlines and scheduling. *Cecil County Zoning Ordinance, Article XVII, Part III, Section 316.* Subject to Subsection 3, the hearing shall be open to the public and all persons interested in the outcome of the appeal or application shall be given an opportunity to present evidence and arguments and ask questions of persons who testify. *Id.* The Board of Appeals may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses so that the matter at issue may be heard and decided without undue delay. *Id.*

All persons who intend to present evidence to the Board, shall be sworn. *Cecil County Zoning Ordinance, Article XVII, Part III, Section 318.* All findings and conclusions necessary to the issuance or denial of the requested permit or appeal (crucial findings) shall be based upon reliable evidence. Competent evidence (evidence admissible in a court of law) shall be preferred whenever reasonably available, but in no case may crucial findings be based solely upon incompetent evidence unless competent evidence is not reasonably available, the evidence in question appears to be particularly reliable, and the matter at issue is not seriously disputed. *Id.* Whenever practicable, all documentary evidence presented at a hearing as well as all other types of physical evidence shall be made a part of the record of the proceedings and shall be kept by the County. *Cecil County Zoning Ordinance, Article XVII, Part III, Section 320.*

Any decision made by the Board of Appeals regarding an appeal or variance or issuance or revocation of a special exception shall be reduced to writing and provided to the applicant or appellant and all other persons who make a written request for a copy. *Cecil County Zoning Ordinance, Article XVII, Part III, Section 321.* In addition to a statement of the Board's ultimate disposition of the case and any other information deemed appropriate, the written decision shall include an opinion that states the Board's findings and conclusions, as well as supporting reasons or facts, whenever this ordinance requires the same as a prerequisite to taking action. *Id.*

On or about July 6, 2012, the Appellant filed an application for special exception (the "Application") with the Cecil County Government Department of Planning and Zoning. The Application sought a special exception from the requirements of Article V, Part I, Section 58 of the Ordinance, which states:

"Animal husbandry shall be permitted in the NAR, SAR, RR, LDR, ST, VR, UR, M1, M2, MEA, and OS zones provided that:

1. The minimum lot size is one acre.
2. Commercial feedlots shall be setback 100 feet from all property lines and 300 feet from any legally existing residences on adjacent lots.
3. Swine farms of 500 or more head, excluding nursing piglets, must comply with and keep up to date both a waste management plan and a nutrient management plan approved by the Natural Resources Conservation Service and University of Maryland Cooperative Extension Service:
 - a. Swine farms of 500 or more head, excluding nursing piglets, must have their feedlots etback 300 feet from all property lines and 600 feet from any legally existing residence on an adjacent lot. The feedlot must be screened by a bufferyard meeting the A standard.

- b. Swine farms of 500 or more head, excluding nursing piglets, must demonstrate that they own or have a lease of at least 3 years on enough acreage to satisfactorily dispose of the waste from said operation in accordance with the approved waste management plan.
- c. Swine farms in existence prior to June 3, 1997 are exempt from these regulations.”

Id.

By letter dated July 9, 2012, Clifford I. Houston, the County Zoning Administrator (“Houston” or, the “Zoning Administrator”), acknowledged receipt of the Application and the Appellant’s request for special exception from the provisions of Article V, Part I, Section 58 and Section 54.4 Table of Permissible Uses (1.01.0300) of the Ordinance. In the July 9, 2012 letter, Houston stated that, “[p]ursuant to Section 307 of the Ordinance, ‘[a]ny property owner or other person with an enforceable legal interest in a property may file an application to use such land for one or more of the special exceptions provided in the zoning district in which the land is located.’” Houston further stated that the Appellant’s property is located in the Rural Residential (“RR”) zone, and that animal husbandry, as defined pursuant to Article II, Part I, Section 12 of the Ordinance, is permitted in the RR zone, provided that the conditions of Article V, Part I, Section 58 are met.

Continuing, Houston noted that the Cecil County Office of Planning and Zoning had previously determined that the Appellant’s property is comprised of less than one (1) acre of land, and therefore does not meet the requirements of Section 58, which requires a minimum lot size of one (1) acre. Houston’s letter concludes by informing the Appellant that, “after review, the Zoning Administrator has determined that the

Application filed with the Office of Planning and Zoning on July 6, 2012 cannot be processed, because the Ordinance does not provided (sic) for a Special Exception from the requirements of Article V, Part I, Section 58. Accordingly, I am returning your check number 1190 in the amount of Two Hundred Fifty Dollars (\$250.00).” The Appellant then appealed the Zoning Administrator’s decision to the Board.

On August 28, 2012, the Board convened a public hearing on the Appellant’s appeal. Houston entered the July 9, 2012 letter, as well as Article V, Part I, Section 58 and Section 54.4 Table of Permissible Uses (1.01.0300) of the Ordinance, respectively, into evidence, and testified that there is no provision under the Table of Permissible Uses specifically, or the Ordinance generally, that would permit a special exception from the provisions of Article V, Part I, Section 58.

The Appellant also appeared and testified; the Appellant’s testimony was, almost in its entirety, a reading from a legal pleading filed in the United States District Court for the District of Maryland, Civil Action Number RDB-12-360, which is styled as *Craig A. Balunsat, Plaintiff, v. Cecil County Government, et al., Defendants*. The gravaman of the Appellant’s claim of error in this matter is that a special exception from the provisions of Article V, Part I, Section 58 of the Ordinance is available to him, and should be granted by the Board, because the Appellant has religious reasons for keeping his pets which are protected by the First Amendment to the United States Constitution, and the Religious Land Use and Institutional Persons Act of 2000 (“RLUIPA”). The Petitioner testified that the Zoning Administrator’s failure and refusal to process the special exception application denied the Appellant his First Amendment rights, and is in violation of the Appellant’s right to keep his animals on the Property pursuant to RLUIPA.

Barbara Russell (“Russell”) appeared and testified in opposition. Russell testified that she lives on a property that is adjacent to the Appellant’s parcel, and entered photographs (Opp. Ex. #1) of the Balunsat Property into evidence. Russell testified that she has had the Appellant’s chickens and dogs in her yard, and the Appellant’s goat on her fence. According to Russell, the condition of the Appellant’s Property makes it impossible for Russell to sell her own property. The Appellant, in rebuttal, testified that Russell also has a 40-acre horse farm next to her property, and that like his goat, horses come up to Russell’s fence. According to the Appellant, Russell also dislikes her neighbor’s horses, but can do nothing about them, because the neighbor’s parcel has 40-acres and so the keeping of horses on that property is permitted under the Ordinance.

No one spoke in support of the appeal.

After review of the evidence and testimony presented by the Zoning Administrator and the Appellant, respectively, and the testimony and evidence in opposition to the appeal, the Board finds as follows.

First, it is clear that the Ordinance does not provide for a special exception from the requirements of Article V, Part I, Section 58. More specifically, Section 54.4 Table of Permissible Uses (1.01.0300) demonstrates that animal husbandry is permitted in the RR zone; such a use is permitted, however, only in-so-far as the property owner meets the requirements of Article V, Part I, Section 58.

The words “special exception” refer to a grant by the zoning administrative body pursuant to the existing provisions of the zoning law and *subject to certain guides and standards of a special use* permitted under the provisions of the existing zoning law. See, *Cadem, et ux. v. Nanna, et al*, 243 Md. 536, 543, 221 A.2d 703 (1966). Neither the

Ordinance generally, or Article V, Part I, Section 58 and/or Section 54.4 (1.01.0300) specifically, provide for a special exception from the provisions of Section 58, nor does the Ordinance grant the Board the authority to grant exceptions to the requirements of Section 58, or provide guides or standards for the issuance of a special exception from such requirements. Simply put, the Ordinance here provides no mechanism by which the Board could grant a special exception from the provisions of Section 58; rather, a property owner, such as the Appellant here, must meet each applicable requirement in Section 58, or animal husbandry is, ipso facto, prohibited on the subject property.

The Appellant seeks to invoke a zoning mechanism (e.g., special exception) that is simply not available to him under the Ordinance, and the Board therefore finds that it is without authority to grant a special exception from the provisions of Article V, Part I, Section 58. Where, as here, the Board is clearly without the authority to grant the relief requested, the Application should not be processed, and it was therefore proper for the Zoning Administrator to return the unprocessed application and application fee to the Appellant.

Second, the Board finds that neither the First Amendment or RLUIPA require the Board to grant a special exception in this case, nor do they preclude the Cecil County Department of Planning and Zoning from enforcing the provisions of Article V, Part I, Section 58. RLUIPA is a law passed by the United States Federal Government that, in part, makes it illegal to unreasonably discriminate against religious practices or institutions. RLUIPA applies to zoning and land use regulation, however, RLUIPA does not make it illegal to prohibit religious practices or institutions within a zone; such a broad application of RLUIPA was never intended by the original drafters of the law, and

has been rejected by the courts on numerous occasions. For example, in *Petra Presbyterian Church v. Village of Northbrook*, 489 F.3d 846 (2007), the Court stated that: “The ban on churches in ... a ... zone cannot in itself constitute a substantial burden on religion, because then every zoning ordinance that didn't permit churches everywhere would be a prima facie violation of RLUIPA.” *Id.*

RLUIPA does not exempt activity forbidden by neutral laws of general applicability (such as animal husbandry here under Section 58), merely because such activity is of a religious nature. In this respect, the Appellant's religious beliefs do not excuse him from compliance with Article V, Part I, Section 58 of the Ordinance, which is an otherwise valid law prohibiting conduct (animal husbandry) that the County is free to regulate. The Appellant does not contend that Section 58 treats him less well than a non-religious comparator that has an equivalent impact in terms of accepted zoning criteria. In fact, there is nothing in Article V, Part I, Section 58 that gives differential treatment to any non-religious use, assembly or institution. In this regard, Article V, Part I, Section 58 treats the commission of animal husbandry for non-religious purposes exactly the same as it treats the commission of animal husbandry for religious uses that are similarly situated with respect to the regulatory purpose of the law.

Moreover, as stated above, the Ordinance contains no formal or informal procedures or practices (e.g., special exception or variance) that permit the Board to make an individualized assessment of the proposed use for the property involved. Rather, animal husbandry is permitted consistent with the express requirements of Article V, Part I, Section 58. Under Section 58, animal husbandry is not permitted on parcels in this zone that consist of less than one (1) acre of land; a property either meets the criteria set forth under Section 58, or it does not, and the Zoning Administrator can, based on the

objective criteria in Section 58, determine whether animal husbandry is permissible on a given parcel without making any individualized assessments of the project, practice or use.

The County has vigorously protected its interest in the health, safety and welfare of its citizens and the animals involved when a use implicates Article V, Part I, Section 58, and the County has consistently enforced this provision of the Ordinance. Religious uses, institutions or assemblies are treated no less than equally with non-religious institutions or assemblies in this respect. It therefore follows that if animal husbandry related to a non-religious purpose is disallowed on parcels of less than one (1) acre in the RR zone, it would be perfectly legal to treat religious assemblies and institutions the same. Moreover, the prohibition against animal husbandry on parcels comprised of less than one (1) acre of land in the RR zone is not, in itself, a substantial burden on the Appellant's freedom to practice his religion; if this were the case, then the County's failure to permit animal husbandry everywhere in Cecil County, regardless of lot size or zone, would be a prima facie violation of RLUIPA.

For the reasons and findings stated, by unanimous vote, the Board hereby AFFIRMS the Zoning Administrator's determination that the Appellant, Craig A. Balunsat's application for special exception from the provisions of Article V, Part I, Section 58 of the Ordinance cannot be processed and, further, DENIES the Appellant Craig A. Balunsat's request for relief from the provisions of Article V, Part I, Section 58 under the First Amendment to the United States Constitution and RLUIPA.

9/25/2012
Date

David Willis, Jr.
David Willis, Chairperson

Craig A. Balunsat
433 Basil Ave
Chesapeake City, MD 21915

Office of Planning & Zoning
County Administration Building, Room 2300
200 Chesapeake Blvd.
Elkton, MD 21921

RECEIVED

JUL 17 2012

CECIL COUNTY OFFICE OF
PLANNING & ZONING

Re: APPLICATION FOR APPEAL

To whom it may concern:

Please find enclosed for filing my following document:

1. BOARD OF APPEALS APPLICATION/APPEAL PROCESS.
2. This Appeal has become necessary because of the Zoning Administrator's July, 9, 2012 decision to not process the application for Special Exception.

Please file this application immediately and contact me in writing at the above return address.

I am requesting that the \$250.00 application fee be waived in this instance, as I have already paid a previous \$250.00 for an appeal and have hitherto been denied my Due Process rights.

Dated: 7-9-2012

Respectfully submitted,



Craig Balunsat
433 Basil Ave.
Chesapeake City
Maryland, 21915
410-885-2783
craig@balunsat.com

BOARD OF APPEALS APPLICATION
CECIL COUNTY, MARYLAND

RECEIVED

MEET MONTH: August 2012
FILE NO: 36158

THIS REQUEST IS FOR:

- SPECIAL EXCEPTION RENEWAL ()
- SPECIAL EXCEPTION ()
- VARIANCE ()
- APPEAL (x)

JUL 17 2012

DATE FILED: 7/17/12
AMOUNT PD: \$250.00
ACCEPTED BY: G. Dempsey
CK# 1193

CECIL COUNTY OFFICE OF
PLANNING & ZONING

A. APPLICANT INFORMATION

Craig A. Balunsa
APPLICANT NAME - PLEASE PRINT CLEARLY

433 Basil Ave Chesapeake City MD 21915
ADDRESS CITY STATE ZIP CODE

Craig Balunsa 410-885-2783
APPLICANT SIGNATURE PHONE NUMBER

B. PROPERTY OWNER INFORMATION

Craig Balunsa
PROPERTY OWNER NAME - PLEASE PRINT CLEARLY

433 Basil Ave Chesapeake City MD 21915
ADDRESS CITY STATE ZIP CODE

Craig Balunsa 410-885-2783
PROPERTY OWNER SIGNATURE PHONE NUMBER

C. PROPERTY INFORMATION

433 Basil Ave. - Ches. City - 21915 2 0272259
PROPERTY ADDRESS ELECTION DIST. ACCT. NUMBER

43 20 408 1 0.621 RR
TAX MAP # BLOCK PARCEL LOT # #ACRES ZONE

D. PURPOSE OF APPLICATION - Indicate reasons why this application should be granted. (attach separate sheet if necessary)

To appeal Zoning Administrator's July 9, 2012 decision to not process the application for Special Exception
See enclosed special Exception documents

E. On an attached sheet, PLEASE submit a sketch of the property indicating the proposed project. Show distances from the front, side and rear property lines and the dimensions of the project.

F. LAND USE DESIGNATION

Is property in the Critical Area? _____ YES _____ X NO

If yes, Pertinent provision of the Chesapeake Bay Critical Area Program: _____

Is property in the 100 year Floodplain? _____ YES _____ X NO

Is property an Agricultural Preservation District? _____ YES _____ X NO

If property is located in the Critical Area, all provisions and requirements must be met as outlined in Article XVII, Part I, II & III of the Zoning Ordinance.

G. PROVISION OF ZONING ORDINANCE: Section 305

H. SPECIAL EXCEPTION RENEWAL - PREVIOUS FILE NO. & CONDITIONS FOR APPROVAL: N/A

I. SPECIAL EXCEPTION FOR A MANUFACTURED HOME - Please fill out the following information:

Will unit be visible from the road? N/A If yes, distance: _____

Will unit be visible from adjoining properties? _____ If yes, distance: _____

Distance to nearest manufactured home: _____ Size/Model/Year of Unit: _____

Number of units on property at present time: _____

~~File # 3615~~

~~Appeal~~

~~Craig G. Balunnet~~

~~Map 43 / parcel 408~~

P.420

P.138

P.417

subject property

P.408

P.407

P.65

P.139

P.287

P.63

P.402

P.62

P.355

P.61

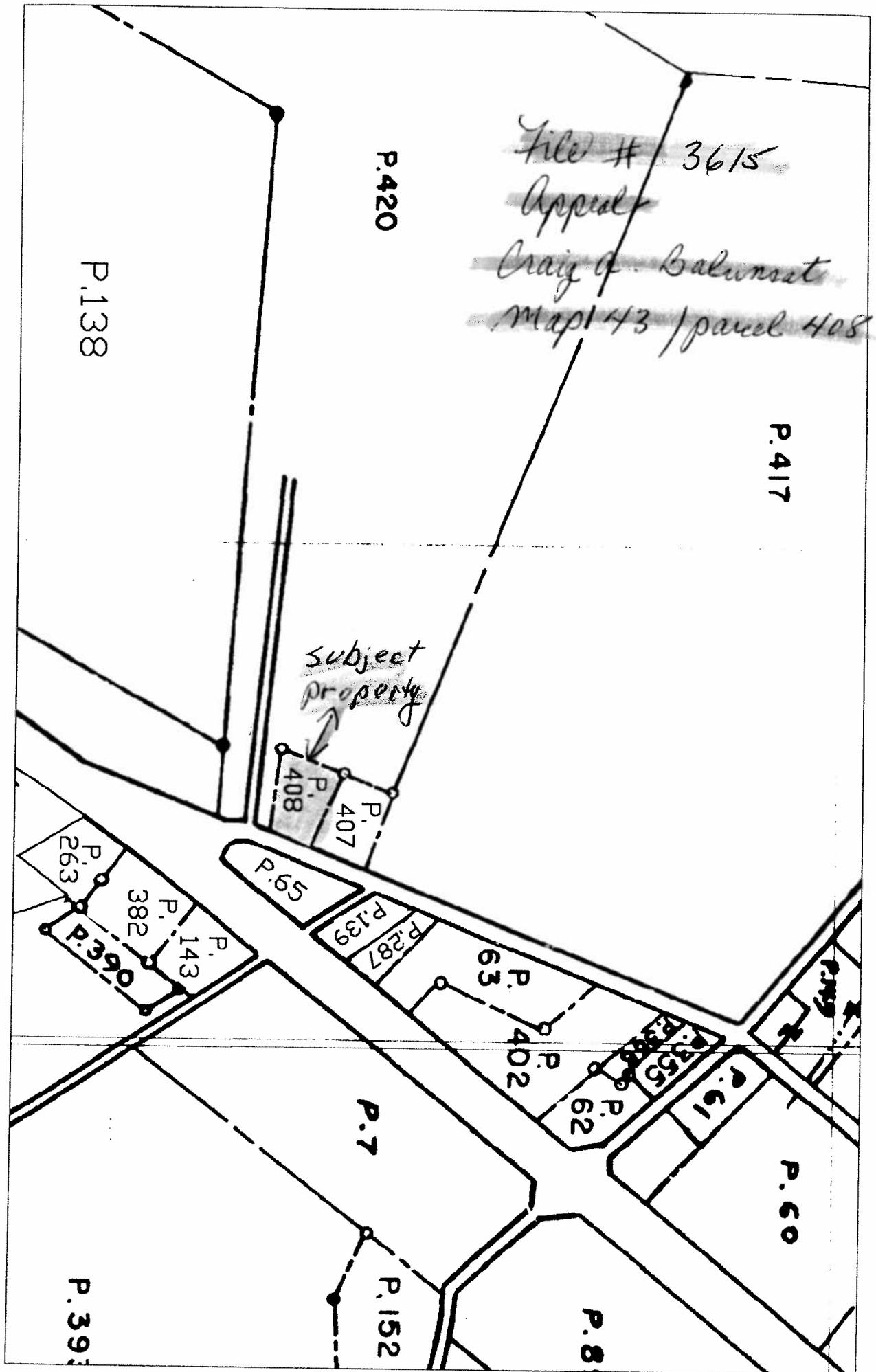
P.60

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President James T. Mullin, District 1
Vice President Diana Broomell, District 4
Commissioner Tari Moore, District 2
Commissioner Michael W. Dunn, District 3
Commissioner Robert J. Hodge, District 5



Alfred C. Wein, Jr.
County Administrator

Eric Sennstrom, AICP, Director
410.996.5220
410.996.5225

County Information
410.996.5200
410.658.4041

CECIL COUNTY GOVERNMENT

Department of Planning and Zoning
200 Chesapeake Boulevard, Suite 2300, Elkton, MD 21921

July 9, 2012

Mr. Craig A. Balunsat
433 Basil Avenue
Chesapeake City, MD 21915

RE: Application for Special Exception

Dear Mr. Balunsat:

On or about July 6, 2012, you filed an Application for Special Exception (the "Application") pursuant to Article XVII, Part II, Sections 307 through 315, from the provisions of Article V, Part I, Section 58 and Section 54.4 Table of Permissible Uses (1.01.300) of the Cecil County Zoning Ordinance (the "Ordinance"). Pursuant to Section 307 of the Ordinance, "[a]ny property owner or other person with an enforceable legal interest in a property may file an application to use such land for one or more of the special exceptions provided in the zoning district in which the land is located." Your property is located in the Rural Residential ("RR") zone. "Animal Husbandry," as defined pursuant to Article II, Part I, Section 12 of the Ordinance, is permitted in the RR zone, provided that the conditions enumerated in Section 58 are met. The Office of Planning and Zoning has previously determined that your property is comprised of less than one (1) acre of land, and therefore does not meet the requirements of Section 58, which requires a minimum lot size of one (1) acre. That determination was subsequently affirmed, after a hearing, by the Cecil County Board of Zoning Appeals.

The purpose of this letter is to inform you that, after review, the Zoning Administrator has determined that the Application filed with the Office of Planning and Zoning on July 6, 2012 cannot be processed, because the Ordinance does not provide for a Special Exception from the requirements of Article V, Part I, Section 58. Accordingly, I am returning your check number 1190 in the amount of Two Hundred and Fifty Dollars (\$250.00).

Thank you in advance for your consideration of this correspondence.

Sincerely,

Clifford I. Houston
Zoning Administrator

Craig A. Balunsat
433 Basil Ave
Chesapeake City, MD 21915

Office of Planning & Zoning
County Administration Building, Room 2300
200 Chesapeake Blvd.
Elkton, MD 21921

Re: APPLICATION FOR SPECIAL EXCEPTION

To whom it may concern:

Please find enclosed for filing my following document:
1. BOARD OF APPEALS APPLICATION/SPECIAL EXCEPTION PROCESS

Please file this application immediately and contact me in writing at the above return address.

I am requesting that the \$250.00 application fee be waived in this instance, as I have already paid a previous \$250.00 for an appeal and have hitherto been denied my Due Process rights.

Dated: 7-5-2012

Respectfully submitted,



Craig Balunsat
433 Basil Ave.
Chesapeake City
Maryland, 21915
410-885-2783
craig@balunsat.com

BOARD OF APPEALS APPLICATION
CECIL COUNTY, MARYLAND

MEET. MONTH: _____
 FILE NO. _____

THIS REQUEST IS FOR:

- SPECIAL EXCEPTION RENEWAL ()
 SPECIAL EXCEPTION (X)
 VARIANCE ()
 APPEAL ()

DATE FILED: _____
 AMOUNT PD: _____
 ACCEPTED BY: _____

A. APPLICANT INFORMATION

Craig A. Balunsat
 APPLICANT NAME - PLEASE PRINT CLEARLY
433 Basil Ave. Chesapeake City MD 21815
 ADDRESS CITY STATE ZIP CODE
Craig Balunsat 410-885-2783
 APPLICANT SIGNATURE PHONE NUMBER

B. PROPERTY OWNER INFORMATION

Craig A. Balunsat
 PROPERTY OWNER NAME - PLEASE PRINT CLEARLY
433 Basil Ave. Chesapeake City MD 21815
 ADDRESS CITY STATE ZIP CODE
Craig Balunsat
 PROPERTY OWNER SIGNATURE PHONE NUMBER

C. PROPERTY INFORMATION

433 Basil Ave, Chesapeake City 2 0272259
 PROPERTY ADDRESS ELECTION DIST. ACCT. NUMBER
43 20 408 1 0.621 RR
 TAX MAP # BLOCK PARCEL LOT # #ACRES ZONE

D. PURPOSE OF APPLICATION - Indicate reasons why this application should be granted. (attach separate sheet if necessary)

See attached Argument in Support of Special Exception.
See also previously submitted federal complaint on rights asserted.
To assert RLWIPA Congressional mandate and constitutional rights.
To keep current animals and add bees, pigeons and fish.

E. On an attached sheet, PLEASE submit a sketch of the property indicating the proposed project. Show distances from the front, side and rear property lines and the dimensions of the project.

F. LAND USE DESIGNINATION

Is property in the Critical Area? _____ YES _____ X NO
 If yes, Pertinent provision of the Chesapeake Bay Critical Area Program: _____
 Is property in the 100 year Floodplain? _____ YES _____ X NO
 Is property an Agricultural Preservation District? _____ YES _____ X NO

If property is located in the Critical Area, all provisions and requirements must be met as outlined in Article XVII, Part I, II & III of the Zoning Ordinance.

G. PROVISION OF ZONING ORDINANCE:

Article XVII of: Cecil County Ordinance 307-315

H. SPECIAL EXCEPTION RENEWAL - PREVIOUS FILE NO. & CONDITIONS FOR APPROVAL: N/A

I. SPECIAL EXCEPTION FOR A MANUFACTURED HOME - Please fill out the following information:

Will unit be visible from the road? N/A If yes, distance: _____
 Will unit be visible from adjoining properties? _____ If yes, distance: _____
 Distance to nearest manufactured home: _____ Size/Model/Year of Unit: _____
 Number of units on property at present time: _____

ARGUMENT IN SUPPORT OF SPECIAL EXCEPTION APPLICATION

1. The Petitioner would like to keep his animals at his property where they are not harming anyone at all. These animals are one female goat, two female ducks, and four hens. Additionally, the petitioner would like to add bees, doves or pigeons and fish to his property.
2. Petitioner Craig Balunsat would like to make a detailed record of his RLUIPA standard 1st Amendment Free Exercise of his religious rights as his Special Exception in this matter, to include all of his constitutional rights including those retained through the 9th Amendment and other federal and state rights as may be discovered and asserted. Additionally, petitioner would like to assert all the rights mentioned in his previously submitted Federal Complaint with special attention to the RLUIPA federal mandate as well as the counts mentioned. This Federal Complaint will be exhibited as evidence.
3. Petitioner has a right to a hearing for Due Process before his rights are severed, and this right pertains to the right to make a complete record of facts in the context of the proper process which is Special Exception.
4. Petitioner's keeping of his animals will not be harmful or detrimental to the public and will not endanger the public health, safety, or general welfare.
5. Petitioner's keeping of his animals will not be unduly injurious to the peaceful use and enjoyment of other proper in the neighborhood, nor will his animals substantially diminish or impair property values in the neighborhood.
6. Petitioner's keeping of his animals will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zone.
7. Petitioner's keeping of his animals will not affect the development of the area nor adversely affect anything at all related to critical natural areas or public improvements.
8. There is no adverse affect of any kind related to the keeping of goats, ducks and hens. Nor would there be any adverse affect in the keeping of bees, pigeons and fish.
9. No conditional safe guards are necessary in granting Petitioner a Special Exception to keep and have these animals.

Dated: 7-5-2012

Respectfully submitted,



Craig Balunsat
433 Basil Ave.
Chesapeake City
Maryland, 21915
410-885-2783
craig@balunsat.com