

IN RE: PETITION FOR VARIANCE
SE/Corner of Eunice Court and
Harvey Court
11th Election District
5th Councilmanic District
(11405 Eunice Court)

Julie & Jason Ashburn
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-159-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Julie and Jason Ashburn. The variance request is for property located at 11405 Eunice Court in the White Marsh area of Baltimore County. The variance request is from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard fence with a height of 48 inches in lieu of the maximum allowed 42 inches in height, six inches from the property line.

The property was posted with Notice of Hearing on October 25, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on October 28, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances.

11/18/03
R. G. G. G.

Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance request were Julie Ashburn and Jason Ashburn, Petitioners and John Brunetti, a neighbor. There were no protestants or citizens attending the hearing. The file contained an unsigned letter of opposition dated September 3 2003. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, is improved with a single family home on a corner lot and is physically lower in elevation as compared to the adjacent properties. This request arises from the Petitioners' desire to allow their dog, a friendly boxer, to roam freely in a fenced in back yard. However, with the adjacent properties at a higher elevation, the Petitioners worry that a child from the neighborhood could reach over the fence to pet the dog. While the dog is friendly, they do not want to have to monitor the possible child and dog interaction in the future. They think another six inches will do it. They are also seeking to have this fence approved by the homeowners association in a separate process.

Mr. Brunetti, who lives across the street from the Ashburns, testified in favor of the request. He confirmed the fact that the Ashburn home is lower than the adjacent homes and that the Ashburns are excellent neighbors who will insure the higher fence will be done properly. Finally, the Petitioners submitted letters of support from nearby neighbors.

9/18/03
R. Zimmerman

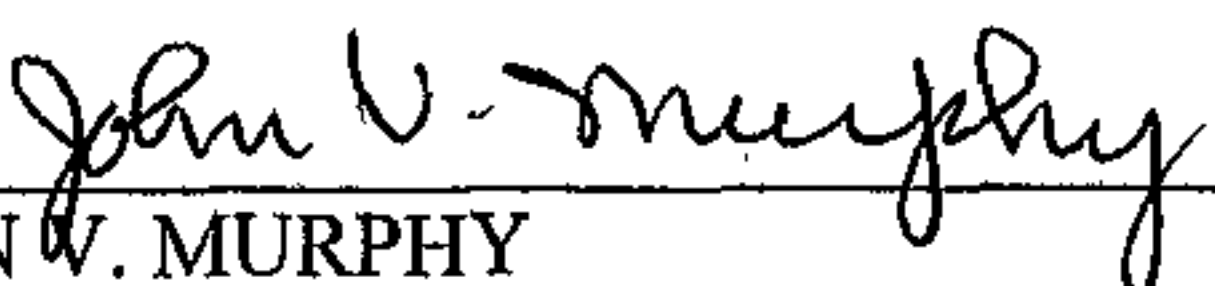
Findings of fact and conclusions of law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. I further find that the requested variance can be granted in strict harmony with the spirit and intent of the regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be GRANTED.

THEREFORE, IT IS ORDERED, this 18 day of November, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard fence with a height of 48 inches in lieu of the maximum allowed 42 inches in height, six inches from the property line, be and it is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

11/18/03
R. J. Jenson

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

November 18, 2003

Mr. & Mrs. Jason Ashburn
11405 Eunice Court
White Marsh, Maryland 21162

Re: Petition for Variance
Case No. 04-159-A
Property: 11405 Eunice Court

Dear Mr. & Mrs. Ashburn:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits & Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: John Brunetti
11408 Eunice Court
White Marsh, MD 21162

Visit the County's Website at www.baltimorecountyonline.info





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 11405 Eunice Ct
which is presently zoned DR - 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 427.B

To allow a rear yard fence with a height of 48 inches in lieu of the maximum allowed 42 inches in height
- 6 inches from the property line

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
• maintain the continuity of the fence by having the fence height consistent of 48 inches
• Allows pets to utilize the backyard without being on a leash + remain on our property
• Protects children + pets from busy street traffic
• 6" protects children from leaning over fence from outside of our property since our house/lot sits lower than our neighbors.
Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Case No. 04-159-A

REV 9/15/98

Legal Owner(s):

Julie Ashburn
Name - Type or Print _____
Julie Ashburn
Signature _____
Jason Ashburn
Name - Type or Print _____
Jason Ashburn
Signature _____
11405 Eunice Ct 410-248-9297
Address _____ Telephone No. _____
White Marsh MD 21162
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.10 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 9-29-03

Zoning Description For: 11405 Eunice Court, White Marsh, Maryland 21162

Beginning at a point on the southeast corner of Eunice and Harvey Courts. Being Lot # 49, Block # 1, Section # 1, in the subdivision of Honeygo Ridge as recorded in Baltimore County Plat Book # 73, Folio # 116, containing 10,136.00 square feet of acres. Also known as 11405 Eunice Court and located in the 11th Election District, 5th Councilmanic District.

159

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 27490
04-159-A

DATE 9.29.03 ACCOUNT B-001-006-6150

AMOUNT \$ 65.00

RECEIVED
FROM:

MA + Mrs Ashburn

FOR:

Residential Variance Filing Fee
for 11405 Eunice Ct

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
9/30/2003 9/29/2003 14:15:59

REF MS05 WALKIN CWR CLK
RECEIPT # 31076 9/30/2003

Dept 5 528 ZONING VERIFICATION
EX NO. 027490

Receipt Tot \$65.00
\$65.00 CK
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-159-A.
11405 Eunice Court
Seast side Eunice Court, corner
southwest side Harvey Court.
11th Election District
5th Councilmanic District
Legal Owner(s): Julie and
Jason Ashburn

Variance: to allow a rear
yard fence with a height of
48 inches in lieu of the
maximum allowed 42
inches in height; 6 inches
from the property line.

Hearing: Wednesday, No-
vember 12, 2003 at 9:00
a.m. in Room 106, County
Office Building, 111 W.
Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/10/809 Oct 28 0634260

CERTIFICATE OF PUBLICATION

10/28/, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 10/28/, 2003.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-159-A

Petitioner/Developer: _____

JULIE & JASON ASHBURN

Date of Hearing/Closing: 11/12/03

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: MS. BECKY HART

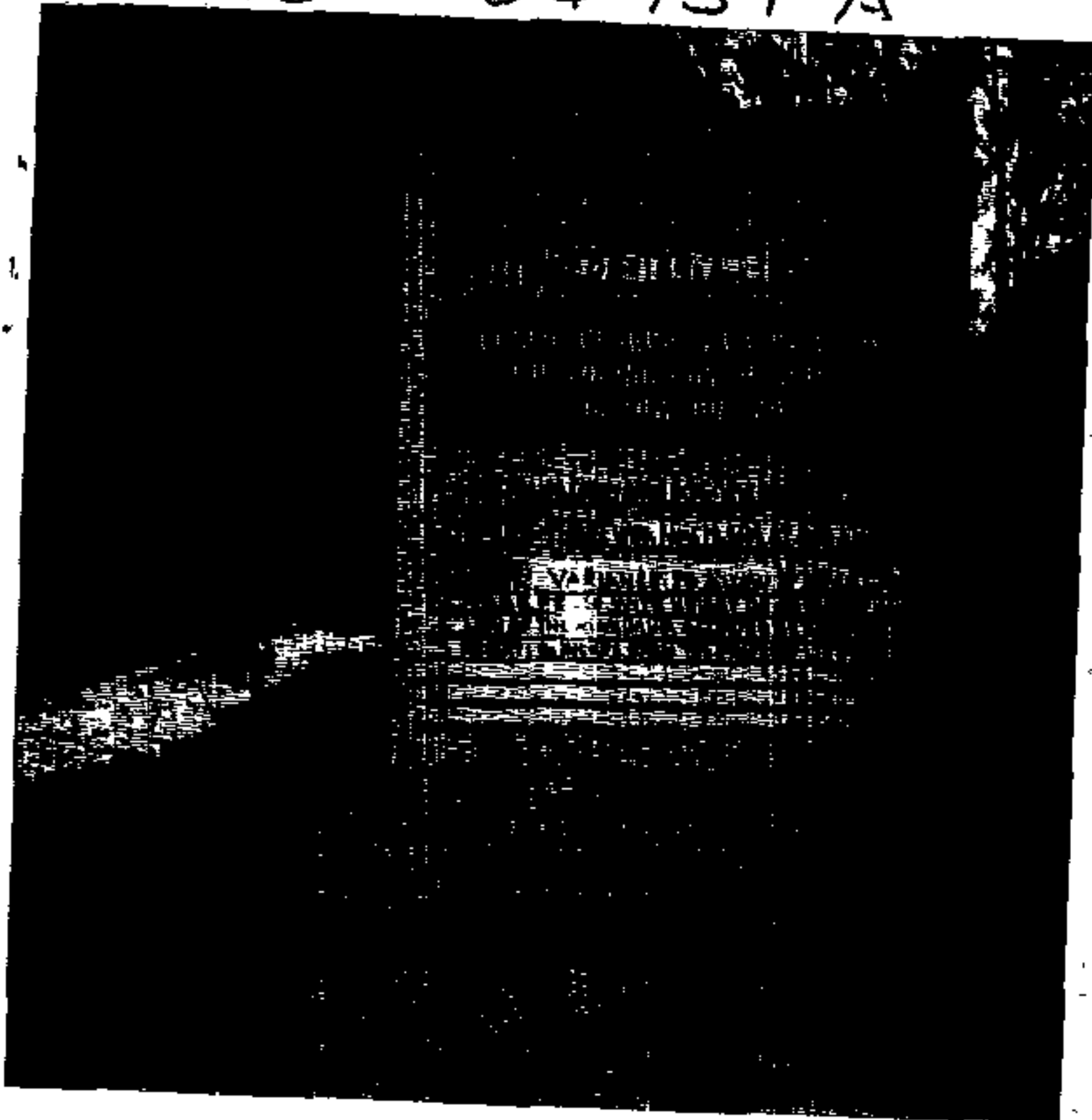
Ladies and Gentlemen:

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 _____

11405 EUNICE CT

The sign(s) were posted on 10/25/03
(Month, Day, Year)

CASE # 04-159-A



11405 EUNICE CT

POSTED 10/25/03

Richard E. Hoffman 10/25/03

Sincerely,

Richard E. Hoffman 10/25/03
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: WAIVER FOR FENCE HEIGHT

Petitioner/Developer: _____

JULIA ASHBURN

Date of ~~Hearing~~/Closing: 9/15/03

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: MS. BECKY HART

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 _____

11405 EUNICE CT

The sign(s) were posted on 8/30/03
(Month, Day, Year)

Sincerely,

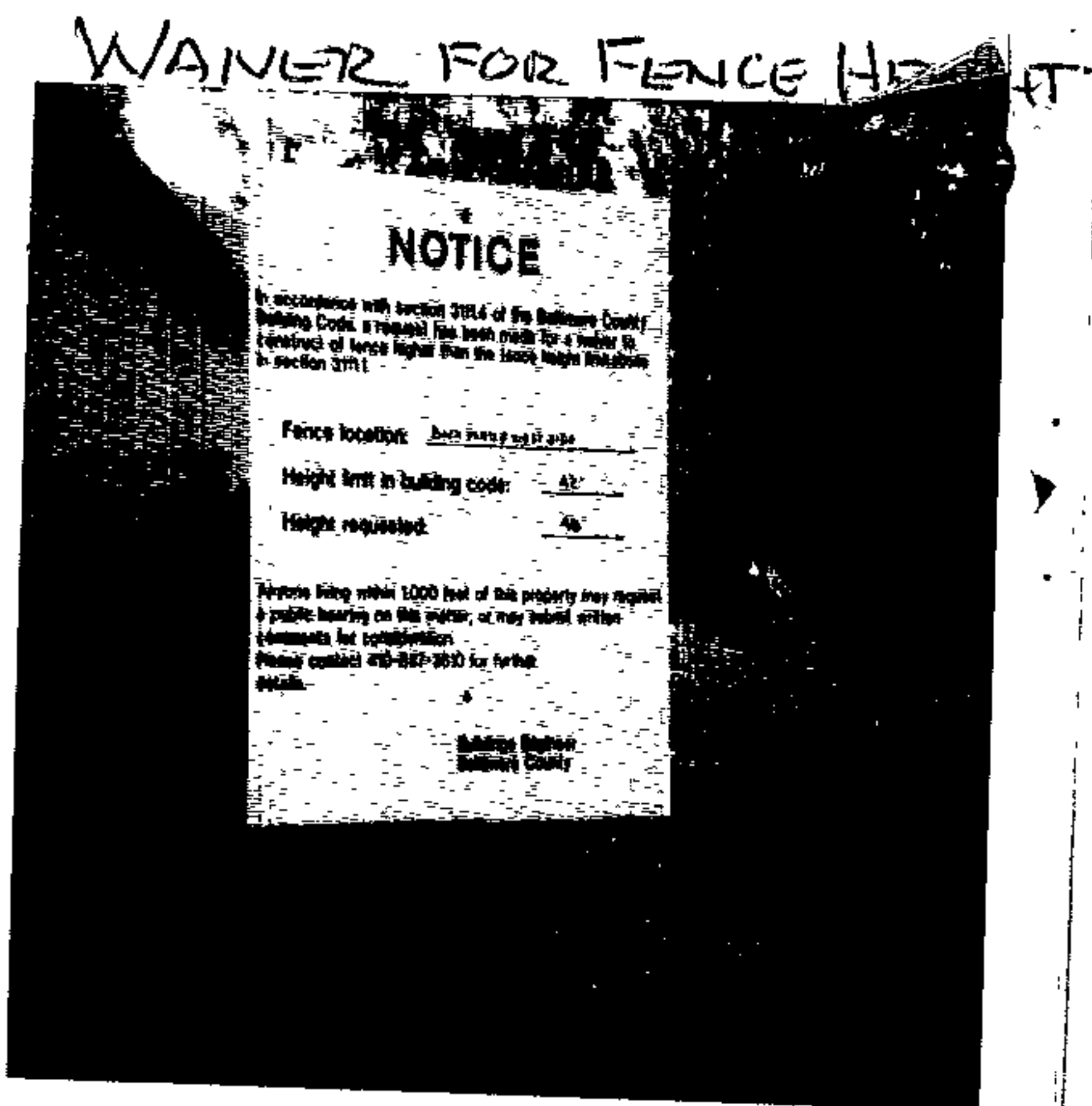
Richard E. Hoffman 8/30/03
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



11405 EUNICE CT

POSTED 8/30/03

Richard E. Hoffman 8/30/03

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 28, 2003 Issue - Jeffersonian

Please forward billing to:

Mr. and Mrs. Ashburn
11405 Eunice Court
White Marsh, MD 21162

410-248-9297

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-159-A

11405 Eunice Court

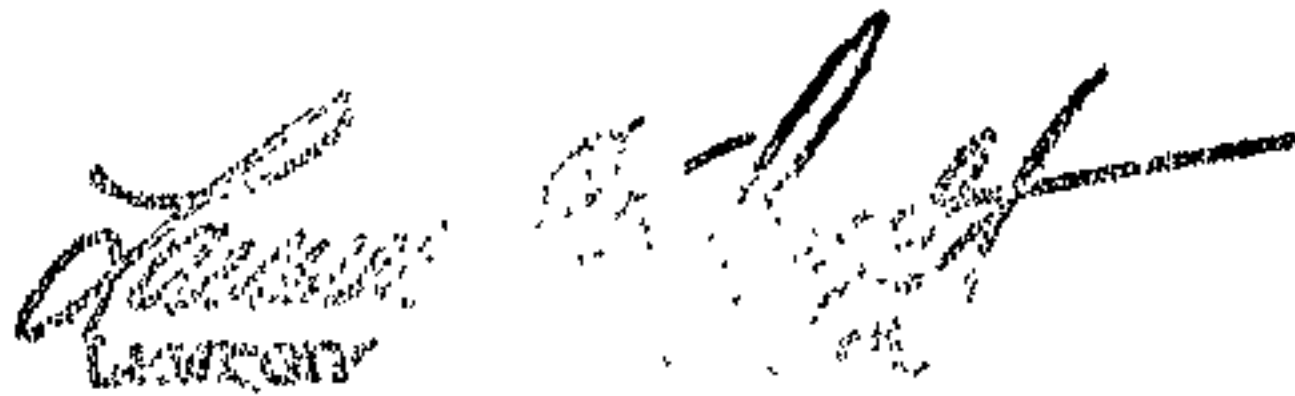
S/east side Eunice Court, corner southwest side Harvey Court.

11th Election District – 5th Councilmanic District

Legal Owner: Julie and Jason Ashburn

Variance to allow a rear yard fence with a height of 48 inches in lieu of the maximum allowed 42 inches in height; 6 inches from the property line.

Hearings: Wednesday, November 12, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 04-159-A

Petitioner: Jason & Julie Ashbunn

Address or Location: 11405 Eunice CT

PLEASE FORWARD ADVERTISING BILL TO.

Name: Same

Address: _____

White Marsh, MD, 21162

Telephone Number: 410-248-9297

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

November 7, 2003

Julie Ashburn
Jason Ashburn
11405 Eunice Court
White Marsh, MD 21162

Dear Mr. Ashburn:

RE: Case Number: 04-159-A, 11405 Eunice Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 29, 2003.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 16, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 14, 2003

Item No.: 151-169

Dear Ms. Hart:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.14.03

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 159 JJS

Dear Ms. Hart:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

 Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

Jack
11/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 22, 2003

RECEIVED

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

OCT 23 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case 04-159

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Mark A. Cunningham

Section Chief:

Lynn Jackson

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 26, 2003

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 20, 2003
Item Nos. 151, 152, 153, 154, 156,
157, 158, 159, 160, 161, 162, 163, 164,
167, and 168

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE
11405 Eunice Court; SE/side Eunice Court,
corner SW/side Harvey Court
11th Election & 5th Councilmanic Districts
Legal Owner(s): Julie & Jason Ashburn
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 04-159-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

RECEIVED

OCT 21 2003

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2003, a copy of the foregoing Entry of Appearance was mailed to, Julie & Jason Ashburn, 11405 Eunice Court, White Marsh, MD 21162, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 04-159-A

Date Completed/Initials

10-30 03

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

10/5/99



Application for Administrative Waiver Of Building Code Fence Height Limitations

Per Building Code Section 3111.0

Instructions: Fill out this form and submit to the Buildings Engineer's Office, 111 West Chesapeake Avenue, Towson 21204. Include a location plan, and documentation of sign erection (provided by the sign poster). If no public hearing is requested prior to the 15 day posting period, a waiver decision will be made based on all evidence submitted.

Property Address 11405 Eunice Court
White Marsh, MD 21162
 Owner Jason + Julie Ashburn
 Owner Address 11405 Eunice Court
White Marsh, MD 21162

Corner Lot? ☒ Yes ☐ No Fence located in Front ☒ Side ☐ Rear Yard

Fence Height Allowed by Building Code 42"
 Fence Height Requested 48" (Attach fence location drawing.)

Basis for Request:

- * • maintain the continuity of our yard, by having the fence height consistent of 48-inches, as opposed to 42-inches (west side) AND 48-inches (rear, east side)
- * • Allows our dog to utilize our backyard without being on a leash + staying on our property.
- * • Protects children from busy street traffic.
- * • Privacy
- * • Deterrent from having unwanted person's on our property.

Applicant's Signature Julie Ashburn Date: 8/18/03

(County Use Only)

Waiver Number _____

Date Property Posted _____

Input/comments/protests received within 15 days? Yes/No

Has Hearing been requested? Yes/No

(If Yes, attach record of Hearing)

Final Disposition:

*Zoning
problem*

Buildings Engineer _____ Date _____



**Baltimore County Department of
Permits and Development Management**
Buildings Engineer's Office
111 West Chesapeake Avenue
Towson, MD 21204
410-887-3610
FAX 410-887-2824

*Julia
Ashburn
895-3656*

WAIVERS FOR FENCE HEIGHT

As part of the Baltimore County Building Code adopted under Council Bill 78-01, a property owner may apply for a waiver of the fence height limitations of section 3111.0. The property must be posted for a period of 15 days, and anyone living within 1,000 feet of the property may request a hearing or submit written comments.

The sign to be posted may be obtained from any of the county's list of approved sign posters. The sign will be the standard 24"x 36" size used for zoning variances, and will contain the following language:

NOTICE

In accordance with section 3111.4 of the Baltimore County Building Code, a request has been made for a waiver to construct a fence higher than the fence height limitations in section 3111.1.

Fence location: Front yard, east side

Height limit in building code: 42"

Height requested: 60"

Anyone living within 1,000 feet of this property may request a public hearing on this matter, or may submit written comments for consideration. Please contact 410-887-3610 for further details.

Buildings Engineer
Baltimore County

FENCE PETITION (BUILDING LINE RESTRICTION)

****To change the highlighted section of bylaw 2.10, so corner lot fences may extend past the building line restriction****

Julie & Jason Ashburn
11405 Eunice Court (Lot 49)

- 4 foot, picket fence (vinyl or wood)
- At least 1 foot from the sidewalk

PRINTED NAME	ADDRESS	PHONE #	SIGNATURE
1) Michelle McKinnis	11402 Eunice Ct	410 529-3129	Michelle McKinnis
2) Lorraine Bibb	11400 Eunice Ct	410-256-6292	Lorraine Bibb
3) Suresh Poosala	11404 Eunice Ct.	410-248-0862	[Signature]
4) PAT MCCRAW	5601 Honeygo Ridge Ct	410-569-3136	Pat McCraw
5) Cathy + Tom Aiken	5608 Honeygo Ridge Ct	410-248-2456	Cathy Aiken
6) Kathy & Steve Wianke	5612 Honeygo Ridge Ct	410-248-1138	Kathy Wianke
7) Carl + Tracy Fuhr	5609 Honeygo Ridge Ct	410 529-2396	Tracy Fuhr
8) Jim HARBESKA	11411 Eunice Ct	410-529-8666	Jim Harbeska
9) ASIM MALIK	5602 Harvey Ct	410-529-2768	Asim Malik
10) Toby Fulton	5609 Harvey Ct	410-529-9662	Toby Fulton
11) Mike Sansost	5606 Harvey Ct	410-529-4288	Mike Sansost
12) Eileen Earnest	5608 Harvey Ct	410 529 4112	Eileen Earnest
13) John Brumetti	11408 Eunice Ct	410-529-2688	John Brumetti
14) ROCCO RINALDI	11410 EUNICE CT.	410-529-9267	Rocco Rinaldi
15) Michael Gunn	11412 Eunice Ct	410-529-0744	Michael Gunn
16) GARY SZYDLOWSKI	11414 EUNICE CT	410-529-0130	Gary Szydlowski
17) Roya Hatami	5607 Honeygo Ridge	(410) 248 0141	Roya Hatami
18) John Bush	5612 Harvey Ct	410 256 4576	John Bush
19) Carol Ann Beggs	5616 Harvey Ct	410-529-3384	Carol Ann Beggs
20) Kelly Eibler	5618 Harvey Ct.	410-529-2412	Kelly Eibler

	PRINTED NAME	ADDRESS	PHONE #	SIGNATURE
21)	DONNA & MARK GREAL	11500 ASBURY CT	(410) 529-2252	Donna Greal
22)	JAN & JO ANN LUNKEFORD	11504 ASBURY CT	(443) 529-5420	J. Lunde
23)	WANG KIM	11403 ELMORE CT	(410) 254-4425	Kim Wang
24)	Miriam & Nick Arminio	5624 Harvey Court.	410 256 5236	M. Arminio
25)	Kathy Marsalek	5622 Harvey CT	410 256-9492	Kathy Marsalek
26)	JOHN STEFANO	5620 HARVEY CT	410-256-5906	John Stefano
27)	Sue Kerns	11505 ASBURY CT	410-256-1811	Sue Kerns
28)	Steve Grace	11503 ASBURY CT	410-248-0748	Steve Grace
29)	Steve & Tori Prosser	5629 Harvey Ct.	410 256 5703	Stephen J. Prosser
30)	Phil Palwere	5602 Honeygo Ridge	410-248-9392	Phil Palwere
31)	MTRNA R. LAO	5606 Honeygo Ridge		mylao
32)	Ritchie Edge	5603 Honeygo Ridge CT	410-529-8789	Ritchie Edge
33)				
34)				
35)				
36)				
37)				
38)				
39)				
40)				
41)				
42)				
43)				
44)				
45)				
46)				
47)				

Dated: September 25, 2003

To Whom It May Concern:

From:

Dr. Suresh Poosala DVM MS PhD

11404, Eunice Ct.

White Marsh, MD 21162

Sir/Madam:

I came to know that Mr. Jason Ashburn, resident of 11405, Eunice Ct. is intending to construct a fence of 4 ft. height to the side of his house. This is to inform you that I have **no objection** whatsoever regarding this proposal. In fact, I want to convey that the house behind his house is at an elevation and would be good enough for the residents of this to see over the fence without any problem.

Sincerely

A handwritten signature in black ink, appearing to read 'Suresh Poosala', with a horizontal line drawn underneath it.

Suresh Poosala

9-3-03

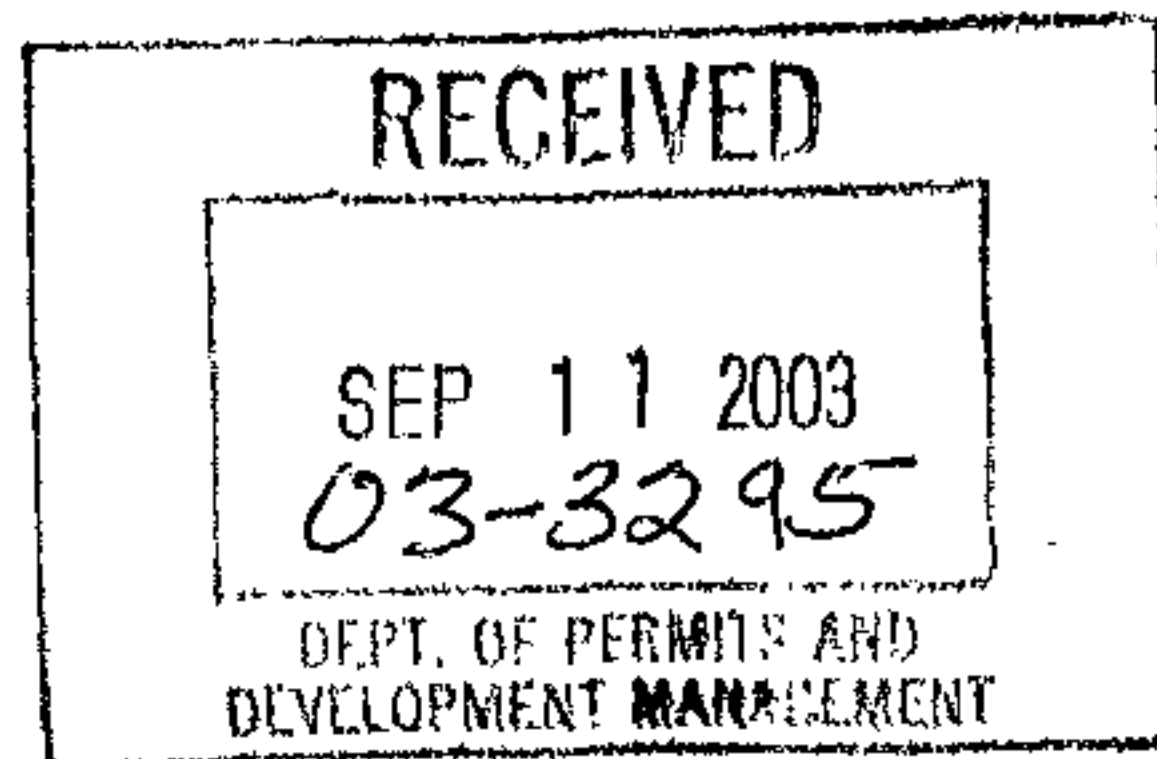
R. MR. JOHN ROSINGER

Subject - 11405 Evaice Ct. White Marsh, Md 21162

Code is for a 42" fence (Sign is for 48")

Several Neighbors, and Also the next door neighbor, and the couple that has yet to move in, have discuss this matter, and all feel that the owners of the above mentioned property are both immature and misrepresenting themselves. They tell certain neighbors one thing, other something different, and Balto. County something totally different? They have no dog, nor any children. They have no privacy either way - 42" or 48" or 20 feet. Also one neighbor is worry that since they have no survey they are going to go on their property with their fence. We do not like or wish to look at a fence everyday that is higher than what is allow by Balto. Co. in the front and side yard of this property, and in the swale of a adjacent property.

Thank you for your time



9/22 3:1 PM

To Whom It May Concern:

October 31, 2003

We, the neighbors of Mr. and Mrs. Ashburn of 11405 Eunice Court are not opposed to a fence, 4 feet in height (48 inches) on their property (specifically, where their backyard adjoins their neighbor's front yard). We do not feel that it would obstruct the visibility of the community in any way, as their fence will be located approximately 50 feet from the corner intersection of Eunice and Harvey Courts. Additionally, the house located behind Mr. and Mrs. Ashburn's house is located at a higher elevation and therefore a 4-foot fence would not interfere with visibility.

Lorraine Bibb

Printed Name

11400 Eunice Ct.

Address

Lorraine Bibb

Signature

Additional Comments:

Fence waiver
case referred
to zoning.
Donna

CASE NAME 11405, ZUNICE CT
CASE NUMBER 04-159-A
DATE 11/12/03

[illegible]

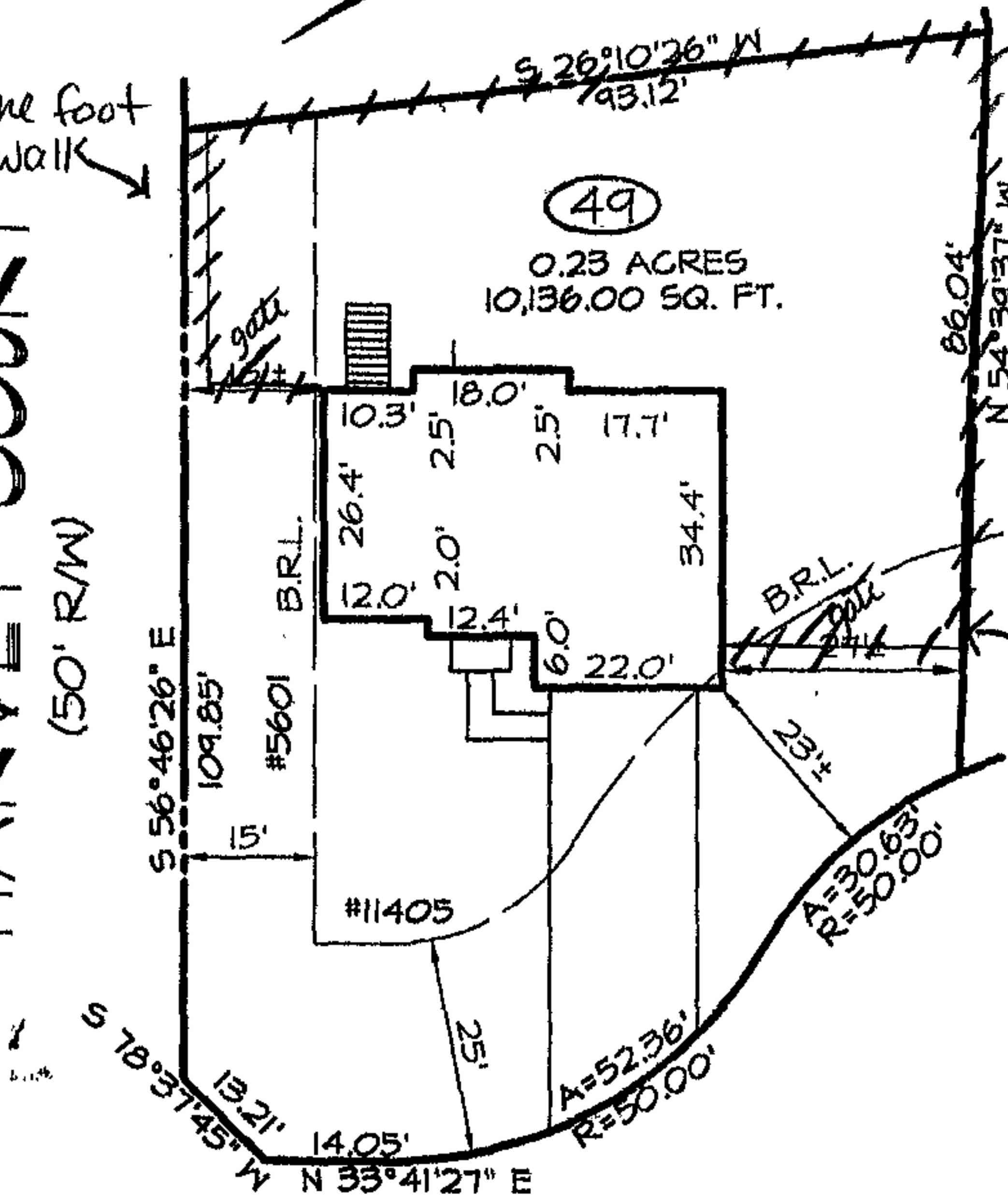
MCS (NAD' 83/91)

John H. H. 5-15-02
Guernsey 5/15/02

at least one foot
from sidewalk

HARVEY COURT

(50' R/W)



(50)

approx. 4 ft back from
front of house

EUNICE COURT
(R/W VARIES)

FLOOD NOTE:

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON IS NOT WITHIN THE FLOOD ZONES AS SHOWN ON THE FLOOD INSURANCE RATE MAPS AS PUBLISHED MARCH 2, 1981.

ACCURACY LIMITATIONS:

LOT BOUNDARY - AS CALLED
 BUILDING DIMENSIONS - $\pm 0.2'$
 BUILDING TO BOUNDARY LINE - $\pm 1'$

- 1) THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR RE-FINANCING;
- 2) THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS; AND
- 3) THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR RE-FINANCING.



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, & LANDSCAPE ARCHITECTS

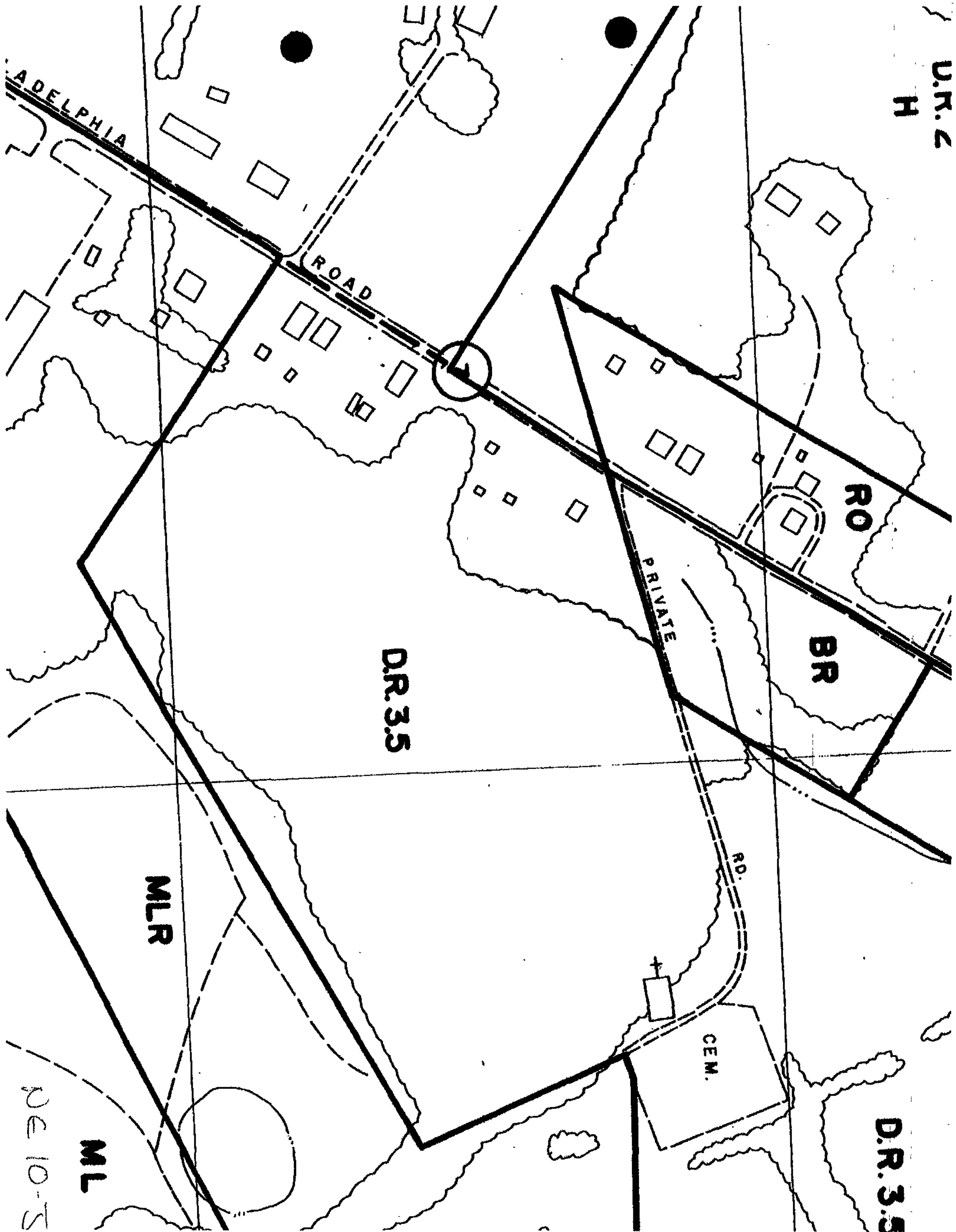
3445-A Box Hill Corporate Center Drive
 Abingdon, Maryland 21009
 (410) 515-9000
 Fax: (410) 515-9002

LOCATION DRAWING
LOT 49
 SECTION ONE

HONEYGO RIDGE

SM 73 FOLIO 116
 11TH ELECTION DISTRICT BALTIMORE COUNTY, MD
 FOR: RYAN HOMES

U.R. 2
H



pe 10-5 (3)

Section District 11
Cove/lanic District 5

Zoning 12-20

HEARING OFFICER'S ORDER

Case No. XI-787

EFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer
altimore County this 31st day of March, 1998 that the development plan for Honeygo
, identified herein as Developer's Exhibit 2, by and in hereby APPROVED and,

IT IS FURTHER ORDERED that the orientation of the proposed dwelling on lot
will face the other houses in this subdivision and not towards Philadelphia Road; and,

IT IS FURTHER ORDERED that the Developer shall not be required to provide
is from its residential subdivision to the adjacent property owned by the Operating
ers Local No. 37.

Any appeal of this decision must be taken in accordance with Section 26-209 of
altimore County Code.

Signed:
TIMOTHY N. KOTROCO
Hearing Office for Baltimore County

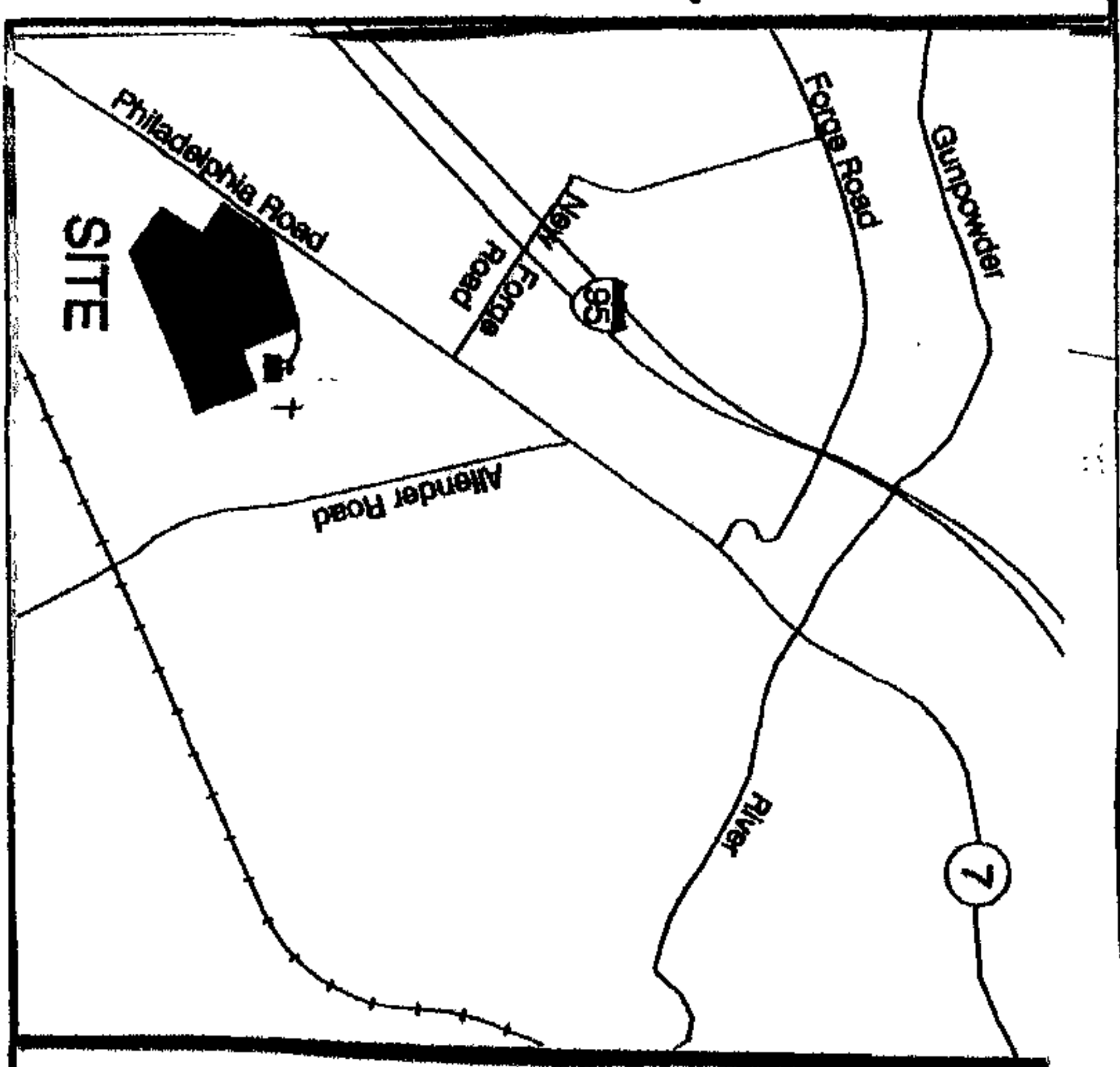
<u>Developer</u>	<u>Owner</u>	<u>Tax Account Nos.</u>
Philadelphia Road	Trustees for the	11-080-02100
Joint Venture, L.L.C.	Estate of Eunice R. Harvey	11-08-002075

ACCESSORY STRUCTURE NOTE
SETBACKS SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL
BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS
INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST
COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY
ZONING REGULATIONS. (SUBJECT TO COVENANTS AND APPLICABLE
BUILDING PERMITS.

ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARD CANNOT
BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS

OPEN SPACE NOTE

Developer shall construct a lot lot on the adjacent
church property at no cost to church



VICINITY MAP

SCALE: 1"=1,000'

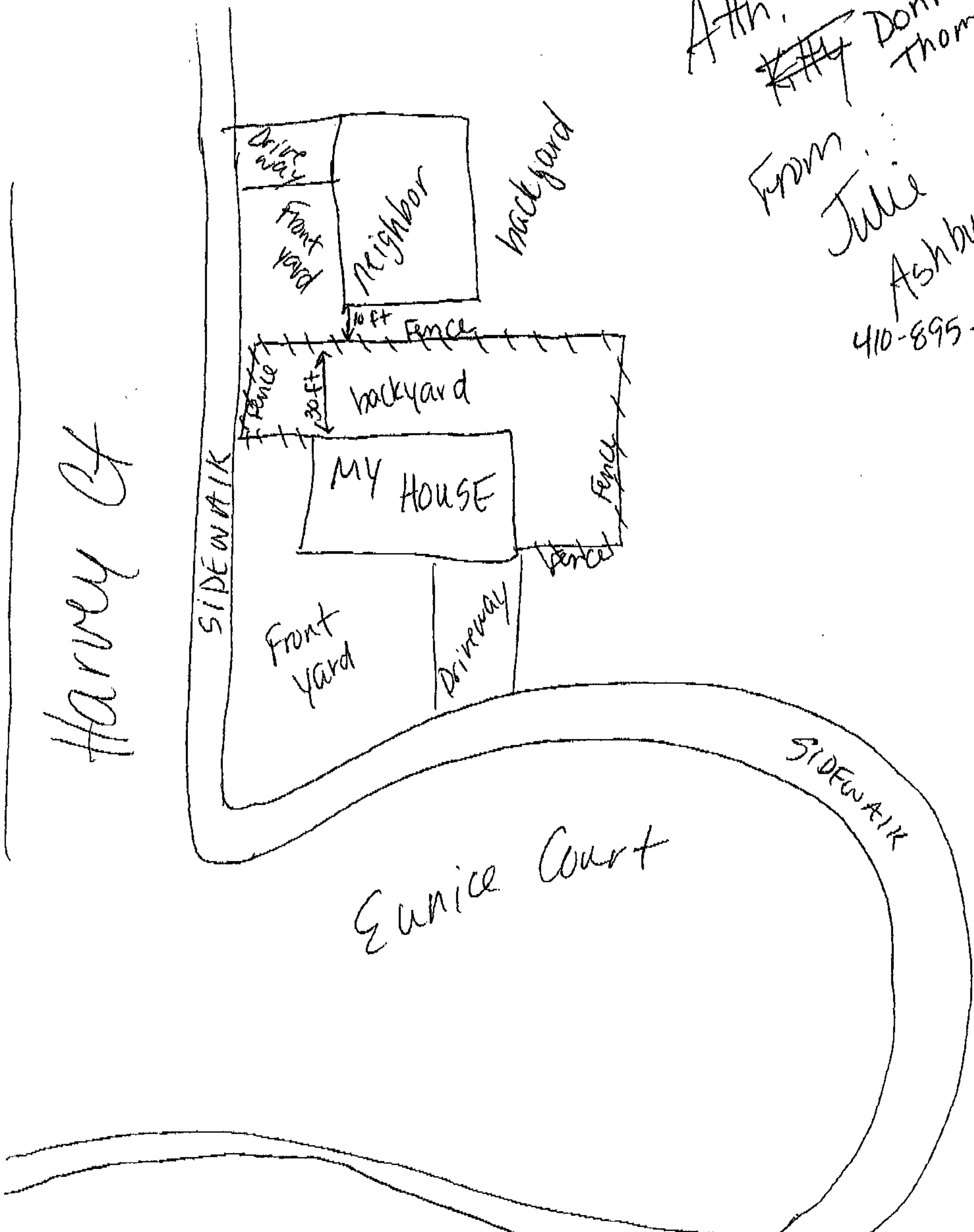
LEGEND

- PROPOSED CONTOUR
- EXISTING CONTOUR
- PROPOSED CURB
- PROPERTY LINE
- EXISTING TREES
- LIMIT OF CLEARING
- FOREST CONSERVATION AREA

881-2824

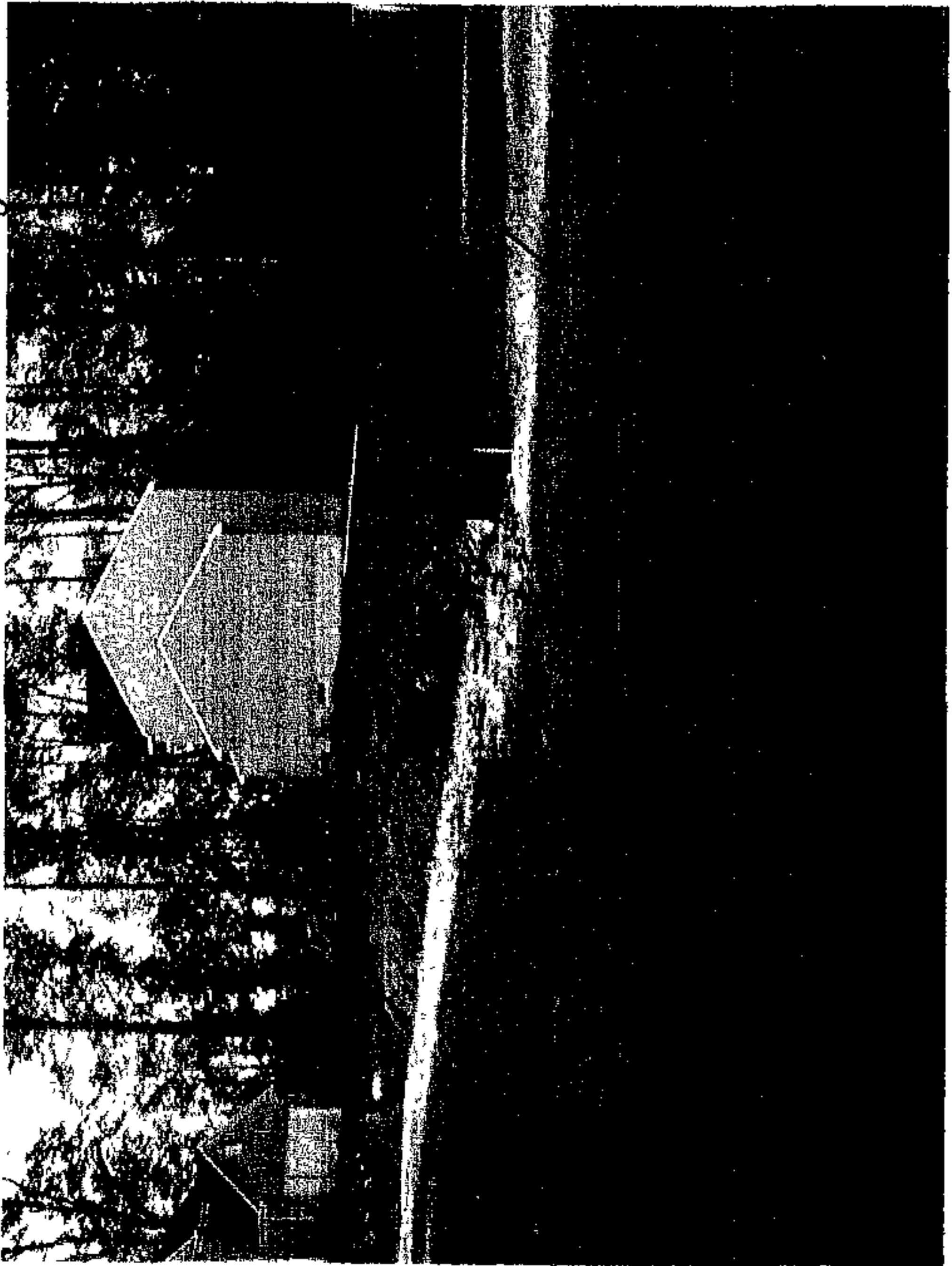
Attn: ~~Kathy~~ Donna Thompson

From Julie Ashburn
410-895-365





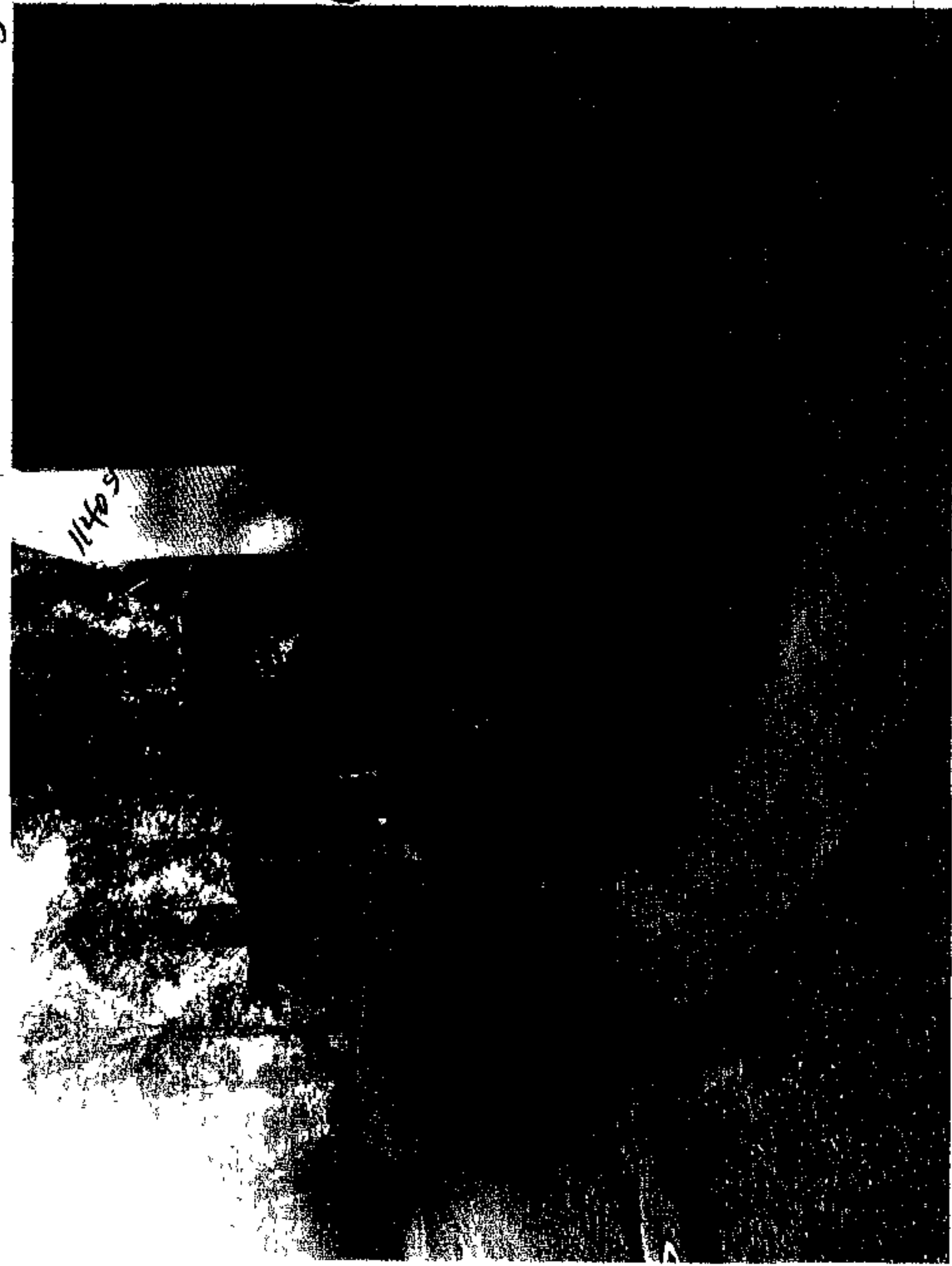
Distance between our house & back neighbor



Backyard view - showing higher elevations of neighbors

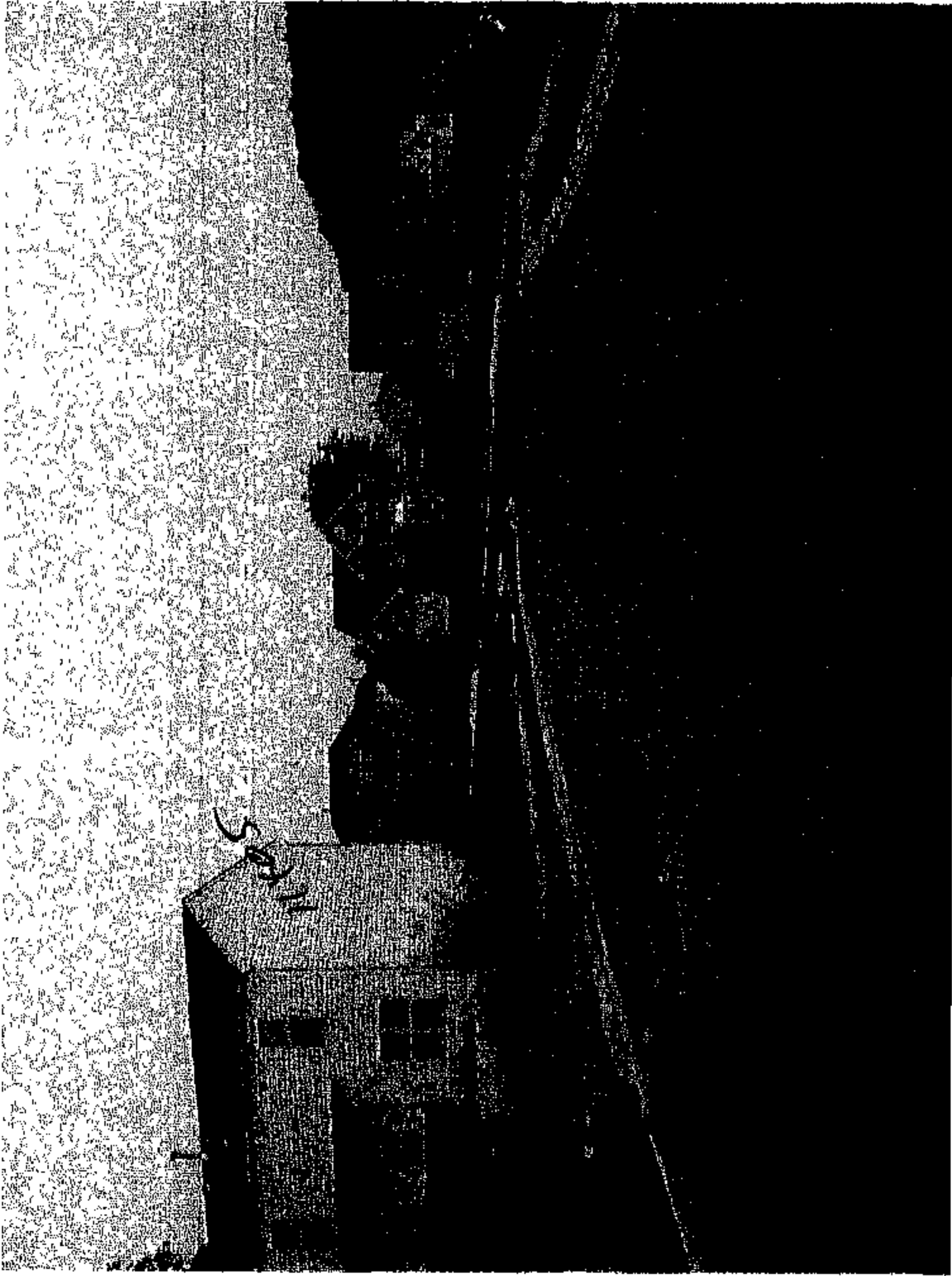


Distance between our house & next door neighbor

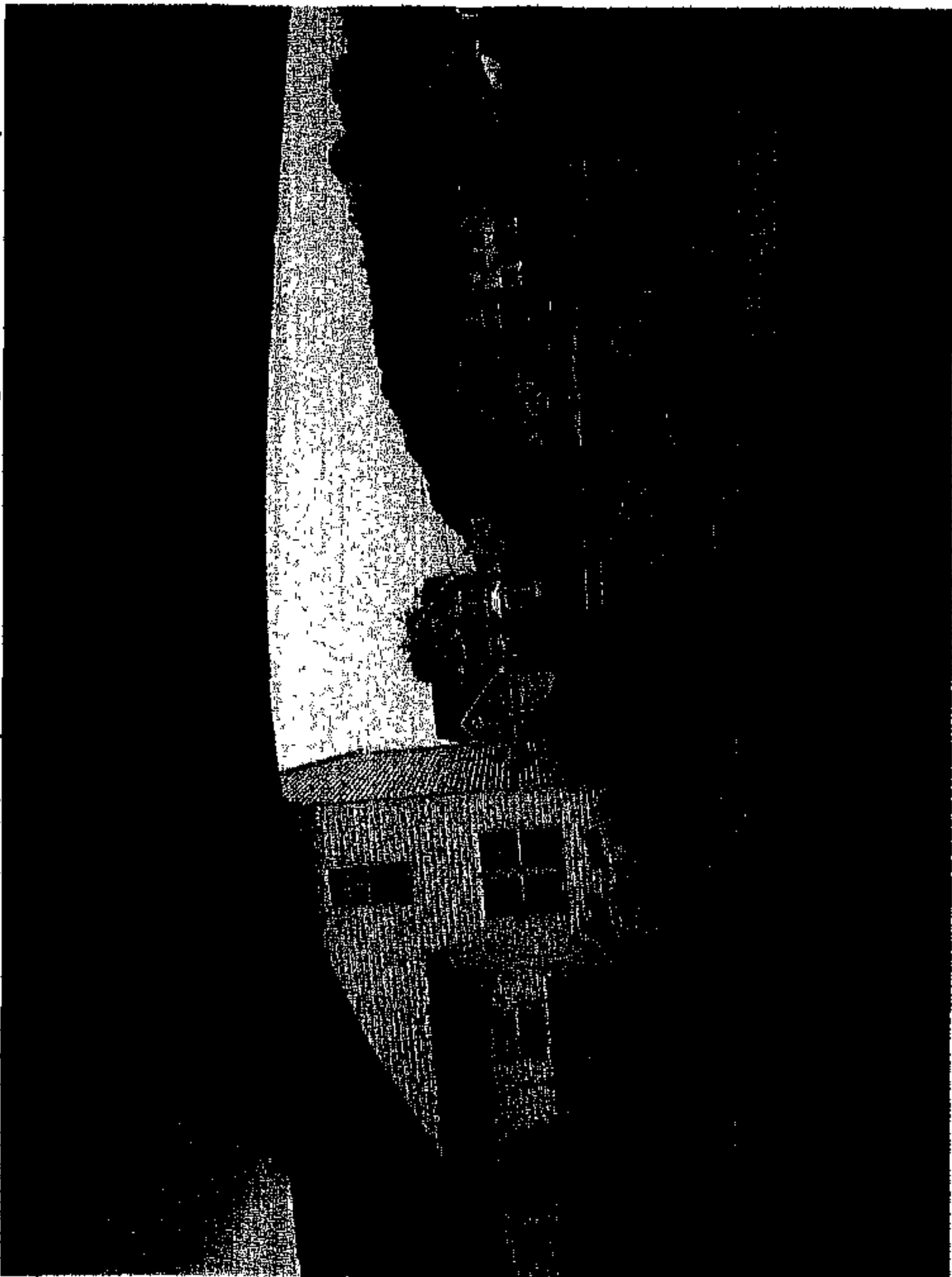


Turning right from Eunice Ct to Harvey Ct

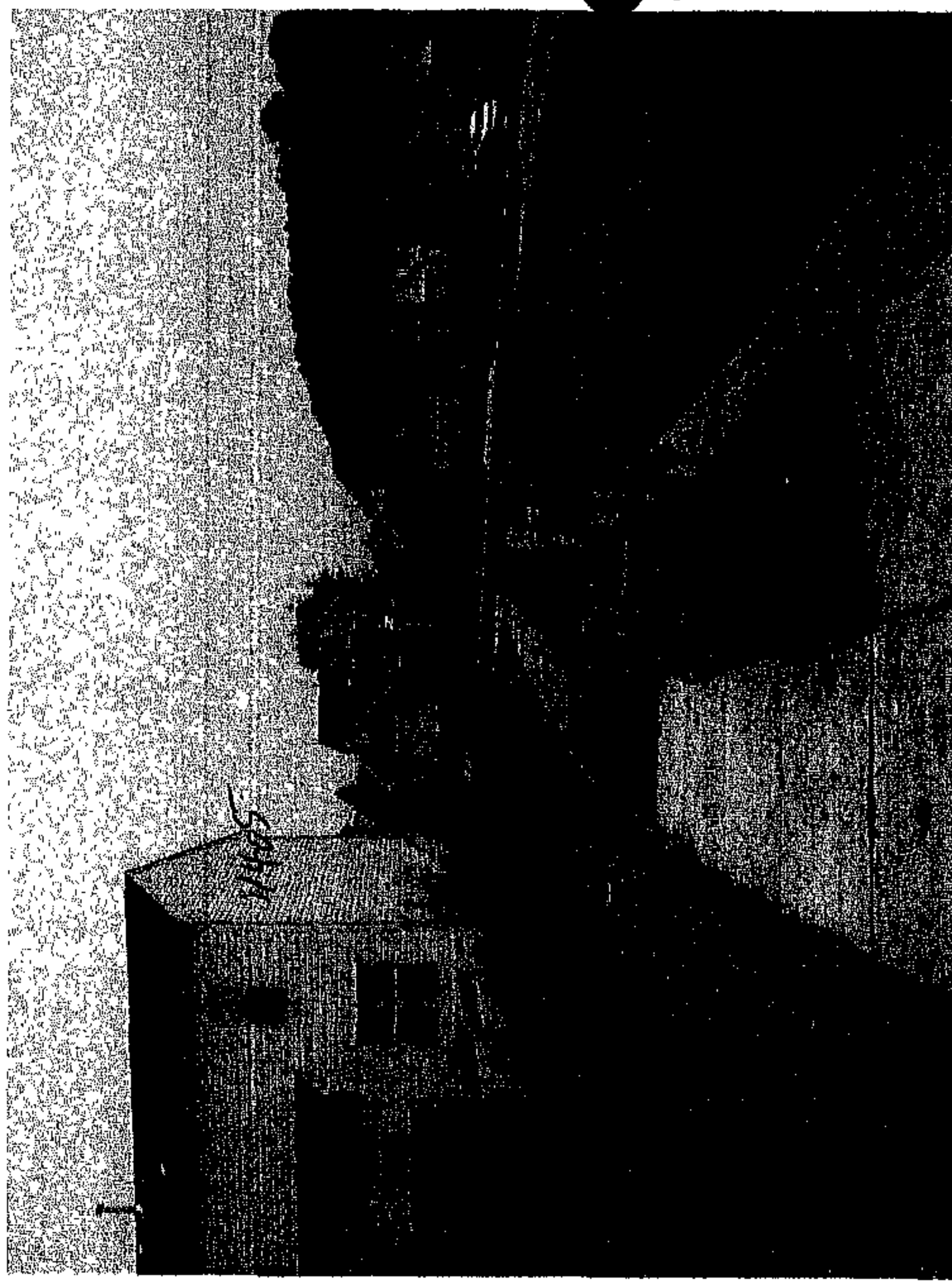
Post # 2



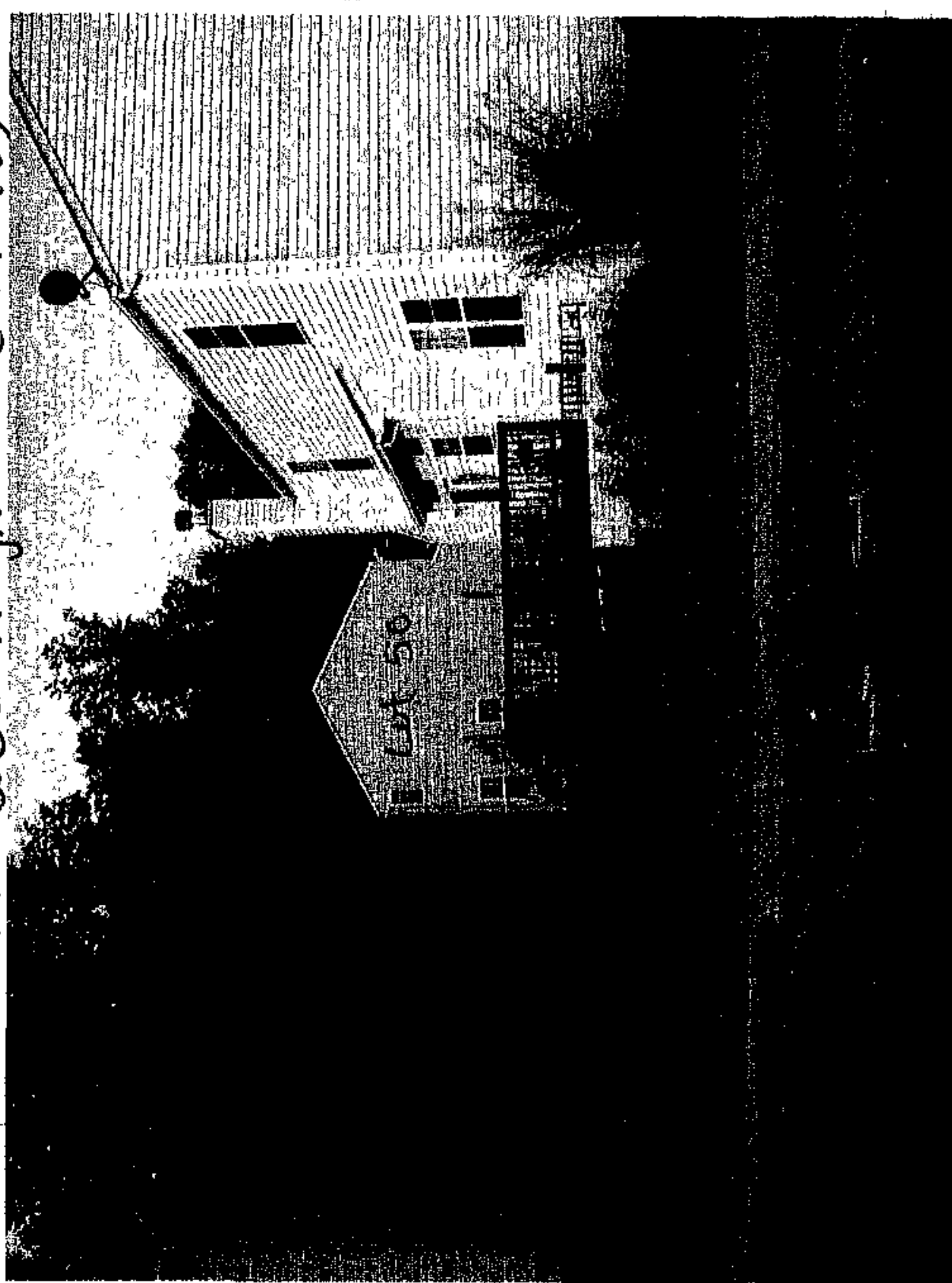
Harvey Ct driving towards Eunice Ct



Driveway of back neighbor (Lot 48)



Sidewalk of Back neighbor (Lot 48)

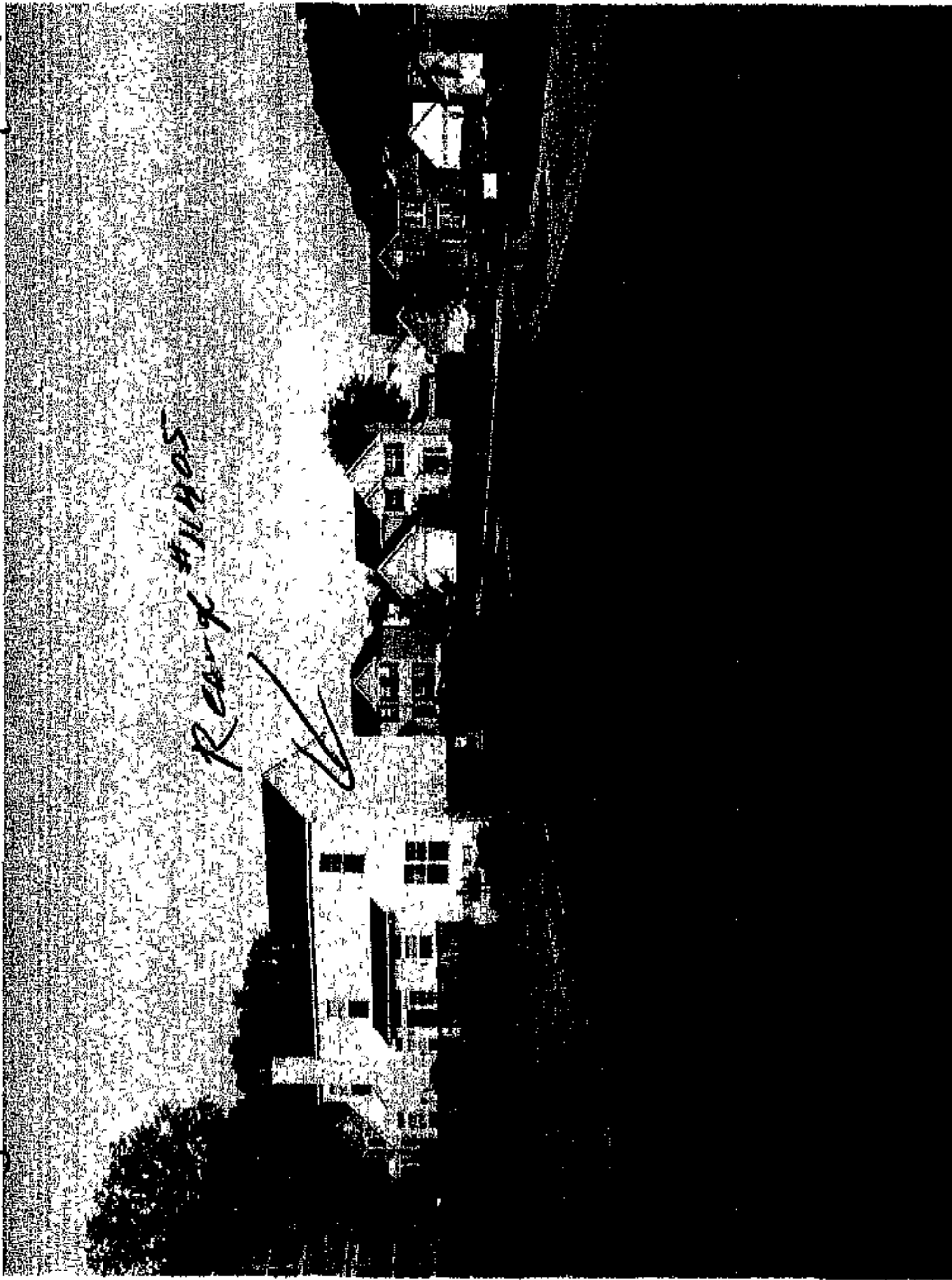


Neighbors houses - location of side fence

#71405



Right turn from Eunice Ct to Harvey Ct



Realtor #11405

From Harvey Court towards Eunice Ct.



Left turn from Eunice Ct to Harvey Ct



Intersection of Eunice Ct & Harvey Ct



Subdiv

Honey Ridge

I, Charles M. ..., certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

SITE DATA

SITE DEVELOPMENT PROPOSAL

OPERATING ENGINEERS LOI
11-180-48025
6883/915
INDUSTRIAL

* This lot is reserved of a public road fr Ridge to the lands successors and as subject to all appli