II (ICL

IN RE: PETITION FOR ADMIN. VARIANCE

W/S Stone Spring Court, 115' N of the c/l

Vineyard Hill Road

(4 Stone Spring Court)

1st Election District

1st Council District

Edmund W. Hooven, Jr., et ux Petitioners BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 05-615-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Edmund W. Hooven, Jr., and his wife, Beth Ann Hooven. The Petitioners seek relief from Section 427.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence that adjoins the front yard of another residence with a height of 6 feet in lieu of the maximum permitted height of 42 inches. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

ORIDER RECEIVED FOR FILING Date Original (1/24/05)

Based upon the documentation contained therein, I am persuaded to grant the requested variance. It was indicated that the proposed fence is necessary to replace an existing wood fence and will be located along the existing fence line without any deviation. There were no adverse comments from any County reviewing agency and the neighbors on the affected side submitted a letter of support indicating they have no objection to the Petitioners' proposal. Thus, it is clear that a grant of the relief will not result in any detrimental impact to adjacent properties or surrounding locale.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23nd day of June 2005 that the Petition for Administrative Variance seeking relief from Section 427.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence that adjoins the front yard of another residence with a height of 6 feet in lieu of the maximum permitted height of 42 inches, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WILLIMY. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

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 William J. Wiseman III, Zoning Commissioner

June 23, 2005

Mr. & Mrs. Edmund W. Hooven, Jr. 4 Stone Spring Court

Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Stone Spring Court, 115' N of the c/l Vineyard Hill Road
(4 Stone Spring Court)

1st Election District – 1st Council District
Edmund W. Hooven, Jr., et ux - Petitioners
Case No. 05-615-A

Dear Mr. & Mrs. Hooven:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

WICLIAM I WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:bjs

cc: People's Counsel; Case File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the prop	perty located at 4 STONE SPRING CT
	which is presently zoned
This Petition shall be filed with the Department of Po	ermits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and
high fence be located	in the front of an adjoining
residence ju liver of	fathe required 40 inch holght.
	The second of th
of the zoning regulations of Baltimore County, to the zoni of this petition form.	ing law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by	the zoning regulations.
A Company of the second of the	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which
Contract Purchaser/Lessee:	Legal Owner(s):
	ESMUND W. HOOVEN IK
Name - Type or Print	Name Trys or Print Howly Se
Signature	Beth Ann Hooven
Address Telephone No.	Name - Type or Print
City State Zip Code	4 STONE SPLDIG CT H 410 719 9505
Attorney For Petitioner:	Address Telephone No. (ATOMSVILLE WD 21228
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature	The state of the s
Company 4	Mame A Section Section 2015
Address Telephone No.	Address Telephone No.
City State Zip Code	City State Zip Code
	to be required, it is ordered by the Zoning Commissioner of Baltimore County, or of this petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
CASE NO. 05-615-A	Reviewed By 5h Date 5/23/05
4	Followed Booting Date 1/2/

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the 7 mant(s) dees/de presently reside at	STONE SPRING CT.
Address CATC	MSVILLE MD 21228
City	State Zip Code
	the facts upon which I/we base the request for an Administrative
Variance at the above address (indicate hardship or practice)	And I Breezewell at Mighten Or North
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anto to to Pour the land & Cape U	ue hope to dotte this.
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regulacant amount of work to various	of record it will continue to require a
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Same fence line with a more account	ith halforden bronze color.
and constructed of aluminos	ede. We plan to replace this along the time labor free enclosive sex foot high ich possesson pronze color.
That the Affiant(s) acknowledge(s) that if a formal de advertising fee and may be required to provide additional	mand is filed, Affiant(s) will be required to pay a reposting and
advertising ree and may be required to provide additional	
5 MI DAMMU &	Best ann Howen
Signature	Signature Comm House
	Signature
ESMUND W. HOOVEN IR	Beth Ann Nouven
Name - Type or Print	Name - Type or Print
	and the second of the second o
STATE OF MARYLAND, COUNTY OF BALTIMORE, to	wife
	70.00
I HEREBY CERTIFY, this 25TH day of MAY of Maryland, in and for the County aforesaid, personally	before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, personally	appeared 5 1
the Affiant(s) herein, personally known or satisfactorily ic	lentified to me as such Affiant(s)
the Amarita, herein, personally known or satisfactorily to	chance to the as sport / marit(s).
AS WITNESS my hand and Notarial Seal	
and the second s	
	Notary Public
NOTARY OF	My Commission Expires 326/06
REV 10/25/01	
NEV 10/20/01	

${f t}$ in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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City	State of courses and the Zip Code
That based upon personal knowledge, the following are the fa	
Variance at the above address (indicate hardship or practical of fondscape - The previous owner spent a	and amount of seconds on war
- Howers We have maintained the ple	age An assert ment of the sants are
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alimal greatly (1.2 deer, labout, etc.) while on ettent as to Ruin the land 8 cape we h	spe to della tais.
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were legant amount of work to Remodel i	+ to a fashionable toakle
significant amount of work to Remodel & abstrate look. Since it is made of	1130 of + who the along the
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absthetic look. Since it is made of cortain amount of express every year. Same fence line with a mine attraction and constructed of aluminum with	hattalin bronze color.
and constructed of aller	
That the Affiant(s) acknowledge(s) that if a formal demand	is filed. Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide additional inform	nation.
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SSIV. HOVELLE	LIVADAN HOWEN
Signature The signature The signature	Signature
FOMUND W. HOOVEN Je	Beth Ann Hooven
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	en e
I HEREBY CERTIFY, this 20TH day of MAY	2005, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, personally appear	ed The Transfer of the Transfe
to the second	and the second of the second o
the Affiant(s) herein, personally known or satisfactorily identified	to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	ter en
and the state of t	and the complete of 2015 Shows and the strong of the and the <mark>A. Vindo</mark> r, Find the control of the strong of the s
Notar	y Public
My Co	ommission Expires 3/24/04
	- William (1985)



made a part hereof, hereby petition for a Variance from Section(s)

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4 STONE SPEING which is presently zoned

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high ten	ce be los	ated in	16 2 1	M. 1981 A. 1871	To permit of an adjo	in the same of the fit
restdenc	e in li	earon	ne req	us ved	42 inch b	of ghat
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of the zoning regulations	of Baltimore Cou	nty to the zoning	ı law of Baltim	ore County.	for the reasons indic	cated on the back
of this petition forma		The off half	Egyptel Brisker		at arbital world in	
Property is to be posted a I, or we, agree to pay exper	and advertised as	prescribed by the	e Žoning regul	ations.	and the second	
I, or we, agree to pay exper regulations and restrictions	nses of above Varia of Baltimore County	nce, advertising, r	oosting, etc. and It to the zoning I	d further agre	e to and are to be bou nore County.	nded by the zoning
All the second	e de la companya. La companya de la	get teamers which			Anna Santia	
		10000000000000000000000000000000000000	l/We do	solemnly dec	clare and affirm, under the legal owner(s) of the Petition.	the penalties of
v "ž	東京 2000年	A Property to	is the su	bject of this F	Petition.	
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None Tree of Debt		<u> </u>	EVIL	vpe ør Print). HOOVEN -	JR
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Signature			Signature		The state of the s	1.3
1			Best	Ann	Hooven	·
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City	State	Zip Code	Signature	KUN	n Harre	9-410601626
	· · · · · ·	. Zip Gode			A 1 - A '	4107199505
Attorney For Petition	<u>er:</u> '	. Literatura	Address		TOTAL OF THE	Telephone No.
			(ATO)	YSVILLE	MD	21228
Name - Type or Print	·		City		State	Zip Code
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Address		Telephone No.	Address			Telephone No.
City	State	Zip Code	City		State	Zip Code
A Public Hearing having been this day of regulations of Baltimore County	, that	the subject matter of			ne Zoning Commissioner hearing, advertised, as re	
Company of the second of the s						
	7.	n ny dia 2 magais	*, 4	Zonina Comm	issioner of Baltimore Cou	ntv
CACENO				41	,	,
CASE NO03	-6/5-A	Re	eviewed By _	/2N	Date	3/05 / 030
REV 10/25/01		Es	timated Post	ing Date	6/5/05	·

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

ZONING DESCRIBTION FOR 4 STONE SPRING COURT

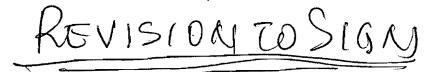
Beginning at the point of the West side of Stone Spring Court which is 24 feet wide at the distance of 115 feet North of the centerline of the nearest improved intersecting street of Vineyard Hill Road which is 24 feet wide.

Being lot #2R, Block A, Section 1 in the subdivision of Foxhall Farms as recorded in Baltimore County Plat Book #62, Folio #124, containing .339 acres.

Also known as 4 Stone Spring Court and located in the 1st Election District, 1ST Councilmanic District.

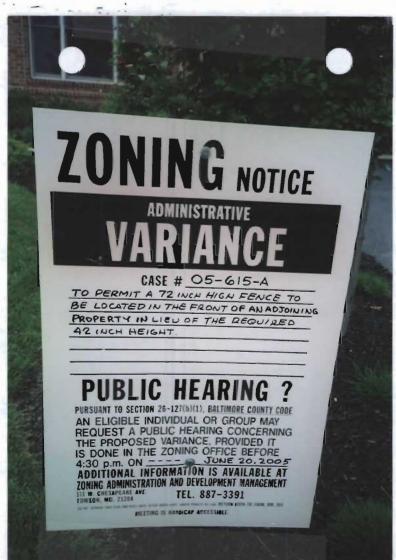
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CERTIFICATE OF POSTING



	RE: Case No.: 05-615-A
	Petitioner/Developer: NOOVER
•	Date of Hearing/Closing: TUNE 70, 700 5
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	
Ladies and Gentlemen: This letter is to certify us law were posted conspicuously on the property l	nder the penalties of perjury that the necessary sign(s) required by located at #4 STOCLE SPRING COOP
The sign(s) were posted on	(Month, Day, Year)
	Sincirely, Sincirely, Signature of Sign Poster and Dato) CARLAND E. Moord (Printed Name) 3225 RYERSON CIRCLES (Address) PAUTIMORE, MD. 21227 (City, State, Zip Code) C410) 242-4263 (Telephone Number)





CERTIFICATE OF POSTING

	Petitioner/Developer: EDMUND & BETH 1100 NER
	Date of Hearing/Closing: JUNE 20, 2005
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	•
	under the penalties of perjury that the necessary sign(s) required by located at # 4 STOME SPMMG COURT
The sign(s) were posted on	4, 7005 (Month, Day, Year)
:	Sincerely, Sincerely, (Signature of Sign Poster and Date)
	GARLAND E. MOORE (Printed Name) 3225 RYERSON CIRCLE
1	(Address) PAUTIMORE, MD. 21227
	(City, State, Zip Code) (C4(0) 242-4263 (Telephone Number)
	·

RE: Case No.: 05-615-A





DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is ubject 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:		Þ
Item Number or Case Number: 05-615-A		•
Petitioner: EDMUND W. HOOVEN JR	*	
Address or Location: 4 STONE SPRING CT, CARONSVILLE.	MD.	21728
· · · · · · · · · · · · · · · · · · ·		
PLEASE FORWARD ADVERTISING BILL TO:		
Name: EDMWD W. HOOVED JR		
Address: 4 STOWE SPRING CT.	,	
CATONSUILLE MD 21228		
Telephone Number: 410 719 9505		
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	

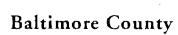
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-						g ct.	
Contact Person: _	Bru Planner,	us Rudo Please Print Your Name	e + is	Р	hone Numbei	: 410-887-33	391
Filing Date:	5/23/05	_ Posting	Date: <u>6/</u>	15/05	Closing D	ate: <u>6/30/</u>	105
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Petitioner's Name _	Edmund	* Beth H	roveh	Tele	phone <u>4/</u>	0-60/- 60	226 WK.
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Wording for Sign: _	To Permit	a 72 inch	high d	ience be	located	in the	front.
of an adjo	ining pr	operty in	lieu	of the	teguit t	0 42 in	ch heigh
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Department of Permits and Development Management

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





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

June 20, 2005

Edmund W. Hoover, Jr.
Beth Ann Hoover
4 Stone Spring Court
Catonsville, Maryland 21228

Dear Mr. and Mrs. Hoover:

RE: Case Number: 05-615-A, 4 Stone Spring Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 23, 2005.

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,

u. Celrilel D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 9, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-615- Administrative Variance

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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By

Division Chief.

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: June 6, 2005

TO: Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM: Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For June 13, 2005

Item No. 607, 610, 614 (615) 616, 618, 620, 621, 623, 625, 628, 630, 631, 632

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-06062005.doc



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date:

6.3.05

Ms. Kristen Matthews Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE:

Baltimore Counts Item No. 6 / 5

BPR

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief

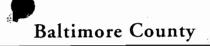
J. J. Sodl

Engineering Access Permits Division

Fire Department

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





James T. Smith, Jr., County Executive John J. Hohman, Chief

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

June 2, 2005

ATTENTION: Zoning Review planners

Distribution Pertine of: June 6, 2005

Item No.: 595, 608 632

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant J.D.Mezick Fire Marshal's Office (O)410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

TO:

Tim Kotroco

JUN 2 8 2005

FROM:

John D. Oltman, Jr J

ZONING COMMISSIONER

DATE:

June 28, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 6, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

June 28, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 6, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-611

05-613

(05-615²

05-617

05-618

05-619

05-620

05-621

05-622

05-624

05-628

05-629

05-631

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-615- Administrative Variance

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 Curtis Murray in the Office of Planning at 410-887-3480.

CM/LL

6 STONE SPRING CT. CATONSVILLE, MD 21228 410-744-9426

April 6, 2005

To Whom It May Concern:

Mr. Hooven has discussed with us in detail the removal of their existing wooden fence which currently encloses his backyard and replacing it. The new fence will be bronze in color and ornamental aluminum in construction.

The new fence will be constructed along the existing wood fence line which is presently in place without any deviation.

We have no objections to this improvement as explained and feel it will enhance the area.

Therefore, we both agree to Mr. Hooven's plan.

Sincerely,

Stephen Fisher

Mary Claire Fisher

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