



**County Council
of
Baltimore County**

Court House
Towson, Maryland 21204

410-887-3196
Fax: 410-887-5791

Tom Quirk
FIRST DISTRICT

Izzy Patoka
SECOND DISTRICT

Wade Kach
THIRD DISTRICT

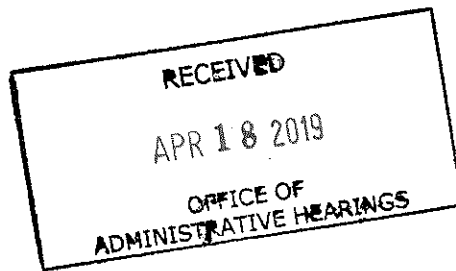
Julian E. Jones, Jr.
FOURTH DISTRICT

David Marks
FIFTH DISTRICT

Cathy Bevins
SIXTH DISTRICT

Todd K. Crandell
SEVENTH DISTRICT

Thomas H. Bostwick
LEGISLATIVE COUNSEL
SECRETARY



April 16, 2019

Lawrence M. Stahl, Esquire
Managing Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Stahl:

Attached please find a copy of Resolution 50-19 concerning the public disclosure of Carey A. Kus, an employee of the Baltimore County Government, who has applied for an administrative variance to construct a 48" aluminium fence at her residence located at 1161 Wilson Point Road, Middle River, Maryland 21220.

This Resolution was approved by the County Council at its April 15, 2019 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas H. Bostwick
Legislative Counsel/Secretary

THB:jlh

cc: Carey A. Kus

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 8

Resolution No. 50-19

Mrs. Cathy Bevins, Councilman

By the County Council, April 15, 2019

A RESOLUTION concerning the public disclosure of Carey A. Kus, an employee of Baltimore County Government.

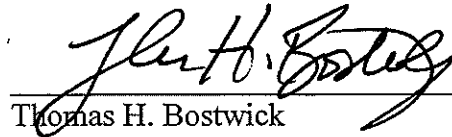
WHEREAS, Carey A. Kus, an employee of Baltimore County Government, has applied for an administrative variance to construct a 48" aluminum fence at her residence located at 1161 Wilson Point Road, Middle River, Maryland 21220.

WHEREAS, this Resolution is intended to provide full public disclosure under Section 32-1-102 of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the administrative variance request filed by Carey A. Kus does not contravene the public welfare.

READ AND PASSED this 15th day of APRIL, 2019.

BY ORDER



Thomas H. Bostwick
Secretary

ITEM: RESOLUTION 50-19



APPLICATION FOR FENCE PERMIT
 BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
 111 WEST CHESAPEAKE AVENUE
 TOWSON, MD 21204

Permit No. _____

Receipt No. _____

Fee Paid _____

Make checks payable to Baltimore County, Maryland --- PERMIT FEES ARE NON-REFUNDABLE

Tax Account # 1511151980 Zone DRS.5

Type or print in ink:
 Work Site Address 1611 Wilson Point Rd 21220

Election District 15

Owner's Name Charles and Carey Kus

Phone No. 410 8958-2073

Mailing Address 1611 Wilson Point Rd 21220

Owner's Agent Same

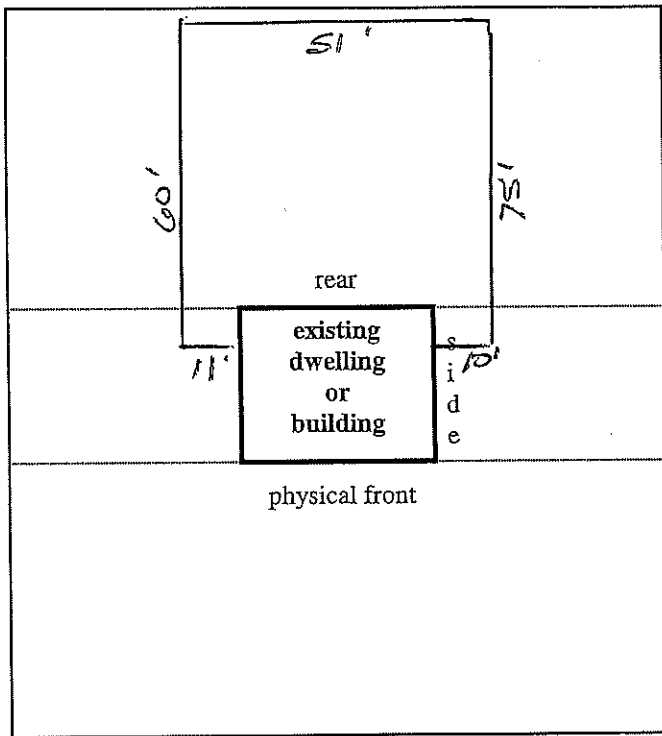
Phone No. _____

COMPLETE SKETCH BELOW OR ATTACH A PLAN THAT CLEARLY SHOWS:

Property line dimensions, easements, existing buildings, road names, and location of alleys.
 Proposed fence, total length 207, height 48", and type Aluminum Pool Code
 Property line setbacks: front 200, sides 11'7", and 13', and rear 70.
 Property use STD. Rear/Side yard abuts adjoining front yard: Yes No

Corner Lot: Yes No
 Historic District: Yes No

SITE PLAN



Road Name Wilson Point Rd

AA-2019-0008-FW

FENCE REGULATIONS

Permit required for fences over 42 inches high (measured vertical to ground, even if fence is placed on top of wall). Fences erected within easement must be removed at owner's expense, if required.

Building Code, Part 122:

122.1 - **Residential Fences** -- Maximum height of 42 inches in front yard as determined by BCZR and 6 feet in side and rear yards at the property line. Maximum height of 10 feet in side and rear yards, provided set back 2 feet for vertical foot over 6 feet.

122.2 - **Commercial Fences** -- Maximum height of 12 feet. Building's Engineer may approve higher fence for dangerous, hazardous, or athletic field. Electric and barbed wire fences are only permitted for the retention of livestock and when not a safety hazard to the public. No pointed projections less than 4 feet high. Barbed wire retarding material may be on top of fence that is at least 6 feet, 9 inches high.

Zoning Code (BCZR) (access easements cannot be fenced)

102.5 - **Corner Lot** -- No fence or other obstruction to vision is permitted higher than 3 feet within 25 feet of a corner of two streets, 15 feet of a street and alley, and 10 feet of two alleys.

427 - **Residential Fences** in side or rear yard which adjoins residential front yard (setback and maximum height) - fence may not exceed 42" if situated within 10 feet of the adjoining front yard property line, with the exception of 48" pool fence and houses more than 200 feet apart.

Special Fence Regulations: Exist for Historic Properties, the Honeygo Overlay District, RC5, RC6, RC7 and RC8 Zones.

Fence Waivers - Sec. 122.4: All requests for a waiver of heights over 42" in front yard must be submitted to the Building Engineer. Waiver requests require posting and may require a public hearing if height is contested. Contested front yard waiver hearings are held before the Building Engineer. If a zoning variance and fence waiver are required, both hearings shall be before the Zoning Commissioner.

County Code, Section 18-2-60I, Obstruction of Drivers' View at Intersection.

Corner Lots: The County Code does not allow a fence on a corner lot to obstruct the vision of drivers as they reach an intersection. If a sight problem is noted later, the property owner will be required to move the fence. To be safe, contact Traffic Engineering at 410-887-3554 for a free site inspection before you build the fence. An issued permit does **NOT** certify that the fence will be in compliance.

OWNER/AGENT CERTIFICATION

I have carefully read the above regulations and hereby certify that the proposed fence will be located on private property, and **NOT** within the 100-year floodplain, will not violate the codes, and that the information supplied is true, complete, and correct.

Carey Kus 4/1/19 Carey A. Kus
 Applicant Signature Date Print or Type Name

PAI APPROVAL (FOR FENCE ONLY) Authority under Section 500.4, BCZR

E John Bray 5-17-19
 Approval Signature Print Initials Date

APPLICANT - KEEP THIS COPY FOR YOUR PERMANENT RECORDS



Application for Administrative Waiver Of Building Code Fence Height Limitations

Instructions: Fill out the information below above the signature line, sign & date. Prepare and submit a **Site Plan** (see requirements on the back of this page) and **Certification of Posting** (provided by the sign poster) to the Zoning Review Office, Room 111, County Office Building, 111 W. Chesapeake Avenue, Towson, MD 21204. Note that if no public hearing is requested, the waive decision will be based on evidence presented along with County maintained information about the site.

Property Address 1611 Wilson Point Rd Middle River Md 21220

Owner Charles and Carey Kus

Owner Address 1611 Wilson Point Rd 21220

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:

We would like to install a Pool code aluminum fence surrounding our property to keep children and our animals out of the water. The pool code fence does not come any smaller than 48 inches. The fence is decorative and there are 4 inches between the rails of the fence maintaining constant visibility.

Applicant's Signature Carey Kus **Date:** 4/8/19

(County Use Only)	Waiver	Number <u>AA-2019-0008-FW</u>
Date Property Posted <u>4-25-19</u>		
Input/comments/protests received within 15 days?		Yes <input type="radio"/> No <input checked="" type="radio"/>
Has Hearing been requested?		Yes <input type="radio"/> No <input checked="" type="radio"/>
<small>(If Yes, attach record of Hearing)</small>		
Final Disposition: <u>APPROVES</u>		
Buildings Engineer <u>E. John Bays</u>		Date <u>5-17-19</u>



Baltimore County Department of
 Permits, Approvals and Inspections
 Zoning Review Office
 111 West Chesapeake Avenue, Room 111
 Towson, MD 21204
 410-887-3391
 FAX 410-887-3048

**FORMAT FOR NOTICE OF FILING OF APPLICATION
 FOR FENCE HEIGHT WAIVER**

The sign to be posted must 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

AA-2019-0008-FW

A request has been made for a waiver to construct a fence higher than allowed in accordance with PART 122.4 of the Baltimore County Building Code.

Fence location: Front yard

Height allowed: 42 inches

Height requested: 48 inches

Anyone living within 1,000 feet of this property may request a public hearing on this matter if such request is made within 15 days of the posting date set forth below or submit written comments for consideration to the address below.

Posting Date: _____
 Address: 1611 Wilson Point Rd 21220

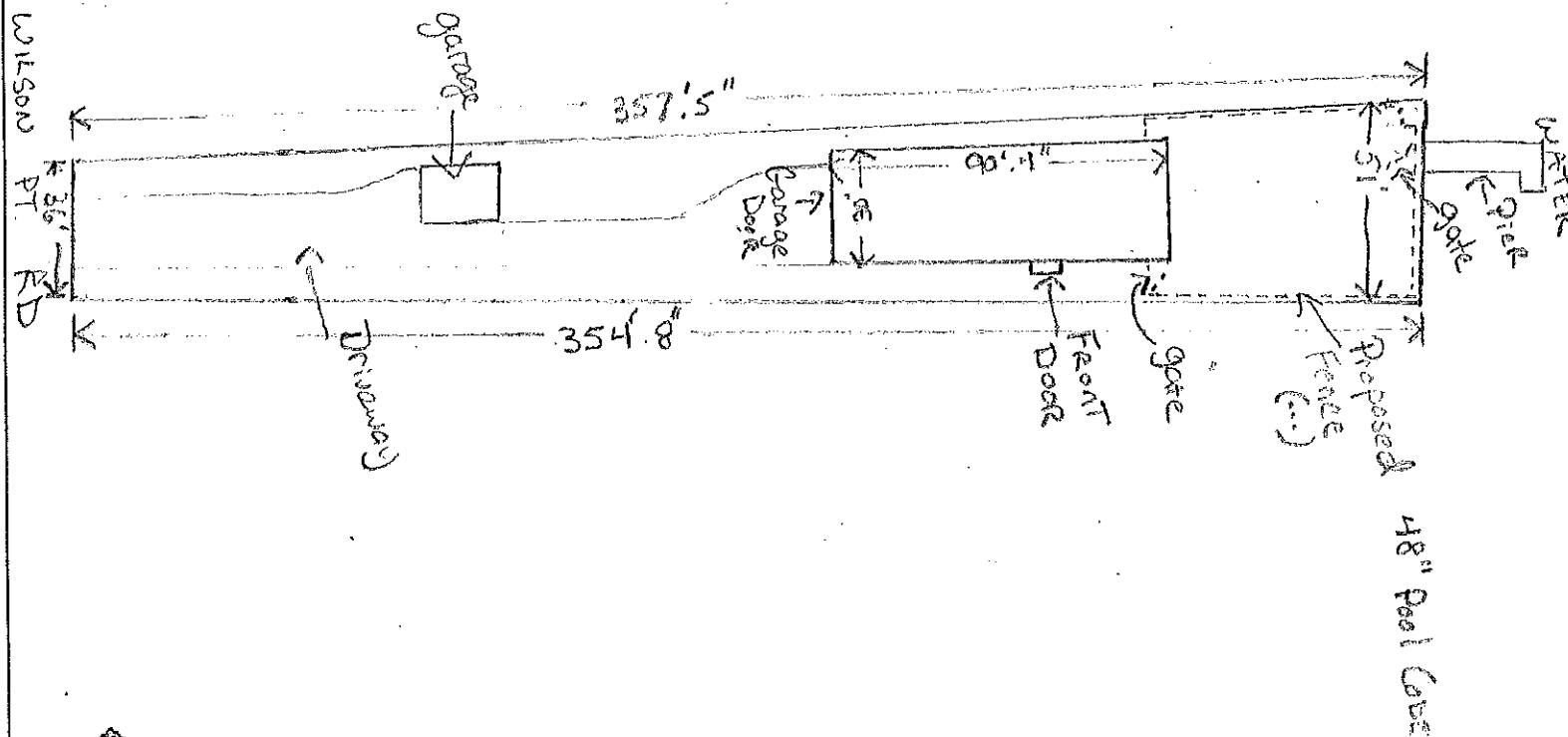
Please call 410-887-3391 for more information or contact the:
 Zoning Review Office
 Department of Permits, Approvals and Inspections
 111 West Chesapeake Avenue, Rm. 111
 Towson, MD 21204

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 1611 Wilson Point Rd 21220 OWNER(S) NAME(S) Charles & Carey Kus

SUBDIVISION NAME _____ LOT # 88A BLOCK # _____ SECTION # _____

PLAT BOOK # 0010 FOLIO # _____ 10 DIGIT TAX # 151151980 DEED REF. # _____



PLAN DRAWN BY Carey Kus

DATE 4/5/19 SCALE: 1 INCH = 50' FEET

AA-2019-0008-FW

SITE VICINITY MAP

N
MAP IS NOT TO SCALE

ZONING MAP# _____

SITE ZONED DR S.S

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 15,640

HISTORIC? NO

IN CBCA? _____

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS: PUBLIC X PRIVATE _____

SEWER IS: PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CERTIFICATE OF POSTING

CASE NO. AA-2019-0008-FW

PETITIONER/DEVELOPER

CHARLES & CAREY KUS

DATE OF HEARING/CLOSING

MAY 10, 2019

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTY

NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON

THE PROPERTY LOCATED AT

1611 WILSON PT. RD.

THIS SIGN(S) POSTED ON

April 25, 2019

(MONTH, DAY, YEAR)

SINCERELY,

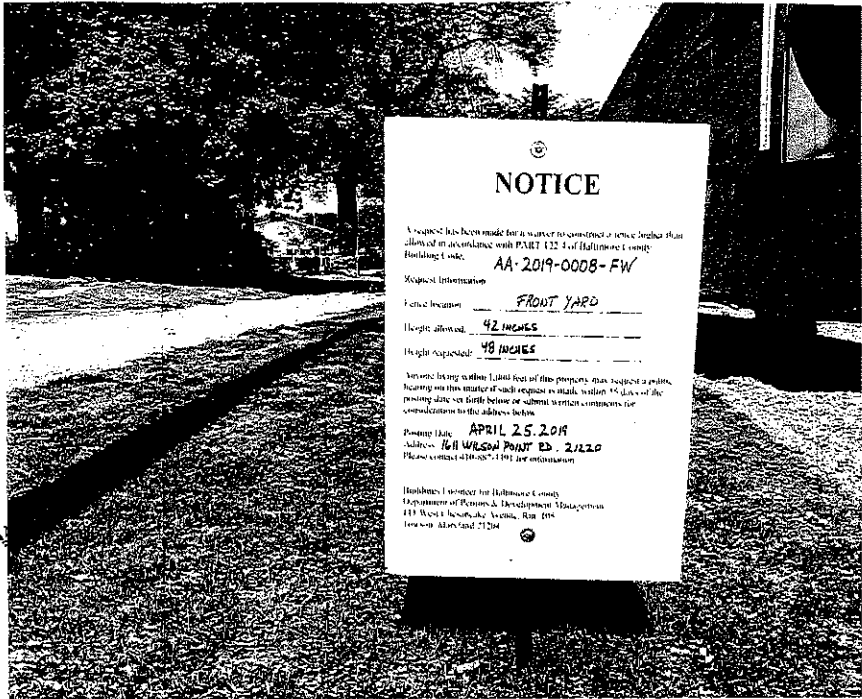
Martin Ogle 4/25/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411



Martin Ogle 4/25/19