

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 124, 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: 11530 FALLS ROAD LUTHERVILLE TIMONIUM MD 21093

Owner: JOHN MARTIN CAREY Cell Phone #: (443) 465-2770
Owner Address: 11530 FALLS ROAD, Alternate Phone #: (443) 465-7710
LUTHERVILLE TIMONIUM, Email: jackmartincarey@gmail.com
MD, 21093

Corner Lot: Yes OR No Fence located in: Front Side OR Rear Yard

Fence Height Allowed by Building Code 42" Fence Height Requested 120" (Attach fence location drawing.)

Basis for Request:

THE PROPOSED WALL IS NEEDED TO RETAIN THE PROPOSED DRIVEWAY. THE
WALL IS STONE AND WILL HAVE A VARYING HEIGHT OF 0' TO 7'. BALTIMORE COUNTY
CODE REQUIRES A PERMANENT FENCE OF 36" HIGH FOR PROTECTION. THE
WALL/FENCE COMBINATION WILL HAVE A PROPOSED HEIGHT NOT TO EXCEED 120".
THIS IS A 4 ACRE PROPERTY WITH A 13 ACRE FAMILY PROPERTY SURROUNDING IT.

Applicant: BRUCE E. DOAK BRUCE E. DOAK CONSULTING LLC 410-419-4906
3801 BAKER SCHOOLHOUSE ROAD FREELAND MD 21053 BDOAK@BRUCEEDOAKCONSULTING.COM

Applicant's Signature: Bruce E. Doak Date: 12/13/23

(County Use Only) Waiver Number <u>UP-23-DD11-FW</u>
Date Property Posted <u>1-3-2024</u>
Input/comments/protests received within 15 days? Yes/No <input checked="" type="radio"/>
Has Hearing been requested? Yes/No <input checked="" type="radio"/>
(If Yes, attach record of Hearing)
Final Disposition:
Buildings Engineer: <u>C. P. [Signature]</u> Date: <u>1/30/24</u>



Baltimore County Department of Permits, Approvals and Inspections

Zoning Review Office
111 West Chesapeake Avenue, Room 124
Towson, MD 21204
410-887-3391

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:

UP-23-0011-PW
Fence Waiver Number

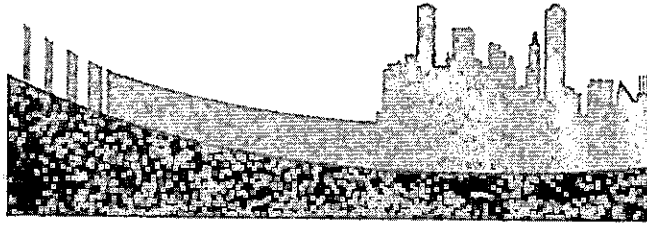
NOTICE

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"
Height requested: 7 FT

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: January 4, 2024
Address: 11530 Falls Rd Lutherville md 21093



CERTIFICATE OF POSTING

January 4, 2024

_____ amended for second inspection

Re:
Fence Waiver No. UP-23-0011-FW
Legal Owner: John M. Carey

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 11530 Falls Road.

The signs were initially posted on January 3, 2024.

The subject property was also inspected on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

Fence Waiver UP-23-0011-FW

NOTICE

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

Fence Location: Front Yard
Height Allowed: 42"
Height Requested: 120" (10')

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: January 4, 2024 to January 20, 2024

Address: 11530 Falls Road Lutherville, MD 21093

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

Fence Waiver UP-23-0011-FW

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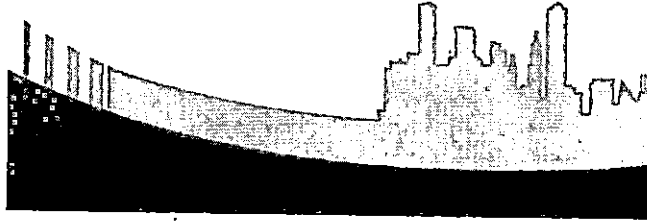
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Address: 11530 Falls Road Lutherville, MD 21093

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Baltimore County Zoning Review Office
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue, Towson, MD 21204



CERTIFICATE OF POSTING

January 4, 2024

January 22, 2024 amended for second inspection

Re:

Fence Waiver No. UP-23-0011-FW

Legal Owner: John M. Carey

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
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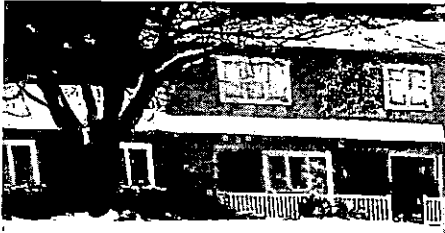
The subject property was also inspected on January 22, 2024.

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Bruce E. Doak
MD Property Line Surveyor #531

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Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
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bdoak@bruceedoakconsulting.com



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Baltimore County Zoning Review Office

Department of



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Baltimore County Zoning Review Office
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue, Towson, MD 21284

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 44875, p. 0017, MSA_CE62_44732. Date available 06/10/2021. Printed 03/02/2022.

PAID RECEIPT
DATE 06/09/2021
TIME 07:23:09
TAX ID: 0816062220
CO. TR TAX \$37,500.00
RECORDATION TAX \$17,500.00
CR Baltimore County, Maryland

American Land Title Corporation
File No. 21-15336
Tax ID # 08-0816062220; 08-2500014044

Baltimore County Cir Crt
IMP FD SURE \$40.00
RECORDING FEE \$20.00
TR TAX STATE \$12,500.00
TOTAL \$12,560.00
JLE SG
Jun 09, 2021 09:23 am

This Deed made this 30th day of April, 2021, by and between **Christopher H. Lee** and **Susan D. Ginkel**, also known of record as **Susan Ginkel**, GRANTORS, and **Marianne Schmitt Hellauer**, Trustee of The Irrevocable Trust Agreement for **John M. Carey**, GRANTEE.

OWNER

Witnesseth –

That in consideration of the sum of Two Million Five Hundred Thousand and 00/100 Dollars (\$2,500,000.00), the receipt of which is hereby acknowledged, the said Grantors do hereby grant, transfer and convey to the said Grantee and the Grantee's successors in trust and assigns in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

Parcel 1:

Beginning for the same on the West side of a private lane at a pipe distant north fifteen degrees thirty-six minutes east one thousand one hundred ninety-one feet North 15 degrees 36 minutes East 1191 feet from a pipe heretofore set at the beginning of the thirteenth or South 10 degrees 30 minutes West 234.30 feet line of a parcel of land which by a deed dated March 18, 1948 and recorded among the land records of Baltimore County in Liber JWB No. 1641 Folio 320, was conveyed by Carrie K. Wyman, widow to Francis S. Carnes and wife, said pipe also being distant South 82 degrees 45 minutes East 5.28 feet from the northwest corner of a brick headwall of a drain pipe under said lane; and running thence from said place of beginning for a line of division now made and binding on the West side of said private lane, North 11 degrees 33 minutes East 293.96 feet to a nail now set in the center of the macadam road which leads from the property now being described in an Easterly direction to the Falls Road; thence continuing to run for lines of division the four following courses and distances, viz: North 11 degrees 33 minutes East 123.46 feet to a pipe; North 82 degrees 45 minutes West 418.60 feet to a pipe; South 11 degrees 33 minutes West 417.42 feet to a pipe; and South 82 degrees 45 minutes East 418.60 feet to the place of beginning.

Containing and laid out for a 4 Acres of land.

Together with and subject to the right and use in common with the Chestnut Ridge Country Club, Inc., its successors and assigns, of the macadam road which extends in an Easterly direction from the property herein described to the Falls Road.

Subject to the terms, provisions, covenants and rights of way at the spring and reservoir as more fully described in an Agreement dated March 3, 1958 and recorded among the Land Records of Baltimore in Liber 3318, Folio 188.

FOR INFORMATIONAL PURPOSES ONLY:

The improvements thereon being commonly known as 11530 Falls Road, Baltimore County, MD 21093
Tax ID No. (08) 08-16-062220

Being the same lot or parcel of ground which by Deed dated September 12, 2013 and recorded among the Land Records of Baltimore County, Maryland in Liber 34263, page 297 was granted and conveyed by Mark R. Fetting and Georgia D. Smith unto Christopher H. Lee, by Susan Ginkel, his attorney in fact by virtue of a Power of Attorney recorded or intended to be recorded immediately prior hereto among the Land Records, and Susan D. Ginkel.

AND ALSO

BEGINNING for the same at an iron bar at a point at the end of the S 10 degrees 49'40" E 719.51 foot line of Parcel 'A' as shown on Plat 2 of Castanea as recorded in the Land Records of Baltimore County in Plat Book JLE 79 at Folio 543, said point delineated as Point 9 on said Plat 2, having a coordinate value on the Maryland State Coordinate

Lot # 38

2500016420

5

Lot # 36

2500016418

Pt. Bk./Folio # 079913

Lot # 39

Pt. Bk. 0000079, Folio 0913

2500016421

CR-2013-0199
2018-0037-A
1989-0270-SPHXA
1990-0428-SPH
2002-0178-SPHA
1990-0427-SPHXA
1953-2645-X
1990-0042-SPHA

PAI # 080886

PAI # 080886

PAI # 080886

2500013437

Pt. Bk. 0000079, Folio 0670

2500014044

NW 14-D

Lot # 5
Pt. Bk. 0000079, Folio 0671
2500013433

Lot # 6

Pt. Bk./Folio # 079671

DRIVEWAY

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

2014-0126-A 0816062220

059C1

RC 5

2 CD

8 ED

NW 13-D

Pt. Bk. 0000079, Folio 0724

2500014592

Pt. Bk. 0000050, Folio 0143 1900011135

PAI # 080343 Lot # 6

Pt. Bk./Folio # 050143

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

PAI # 080343

PAI # 080343

Pt. Bk. 0000050, Folio 0031 1900008842

Lot # 8

Pt. Bk./Folio # 052024

Pt. Bk. 0000052, Folio 0024

1900008850

1900008849

11700

Lot # 40

2019-0159-SPHA

Pt. Bk./Folio # 079724

11526

Real Property Data Search ()
 Search Result for BALTIMORE COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 08 Account Number - 0816062220

Owner Information

Owner Name: HELLAUER MARIANNE SCHMITT TRUSTEE Use: RESIDENTIAL
 Principal Residence: YES
 Mailing Address: 11530 FALLS RD Deed Reference: /44875/ 00017
 LUTHERVILLE-TIMONIUM MD 21093-1609

Location & Structure Information

Premises Address: 11530 FALLS RD Legal Description: 4 AC RER 850 FT
 LUTHERVILLE-TIMONIUM 21093-1609 11530 FALLS RD WS
 3200FT S BROADWAY RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0059	0006	0013	8090183.04	0000				2023	

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1853	5,642 SF	1100 SF	4.0000 AC	04

Stories	Basement	Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	1/2	YES	STANDARD UNIT	FRAME/ 7	4 full/ 1 half	1 Detached 2014

Value Information

	Base Value	Value	Phase-in Assessments	
			As of	As of
Land:	325,000	325,000	01/01/2023	07/01/2023
Improvements	1,121,600	1,995,200		07/01/2024
Total:	1,446,600	2,320,200	1,737,800	2,029,000
Preferential Land:	0	0		

Transfer Information

Seller: LEE CHRISTOPHER H	Date: 06/09/2021	Price: \$2,500,000
Type: ARMS LENGTH MULTIPLE	Deed1: /44875/ 00017	Deed2:
Seller: FETTING MARK R	Date: 09/25/2013	Price: \$1,732,500
Type: NON-ARMS LENGTH OTHER	Deed1: /34263/ 00297	Deed2:
Seller: MANEKIN DONALD	Date: 07/23/1997	Price: \$820,000
Type: ARMS LENGTH IMPROVED	Deed1: /12290/ 00708	Deed2:

Exemption Information

Partial Exempt Assessments: Class		07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

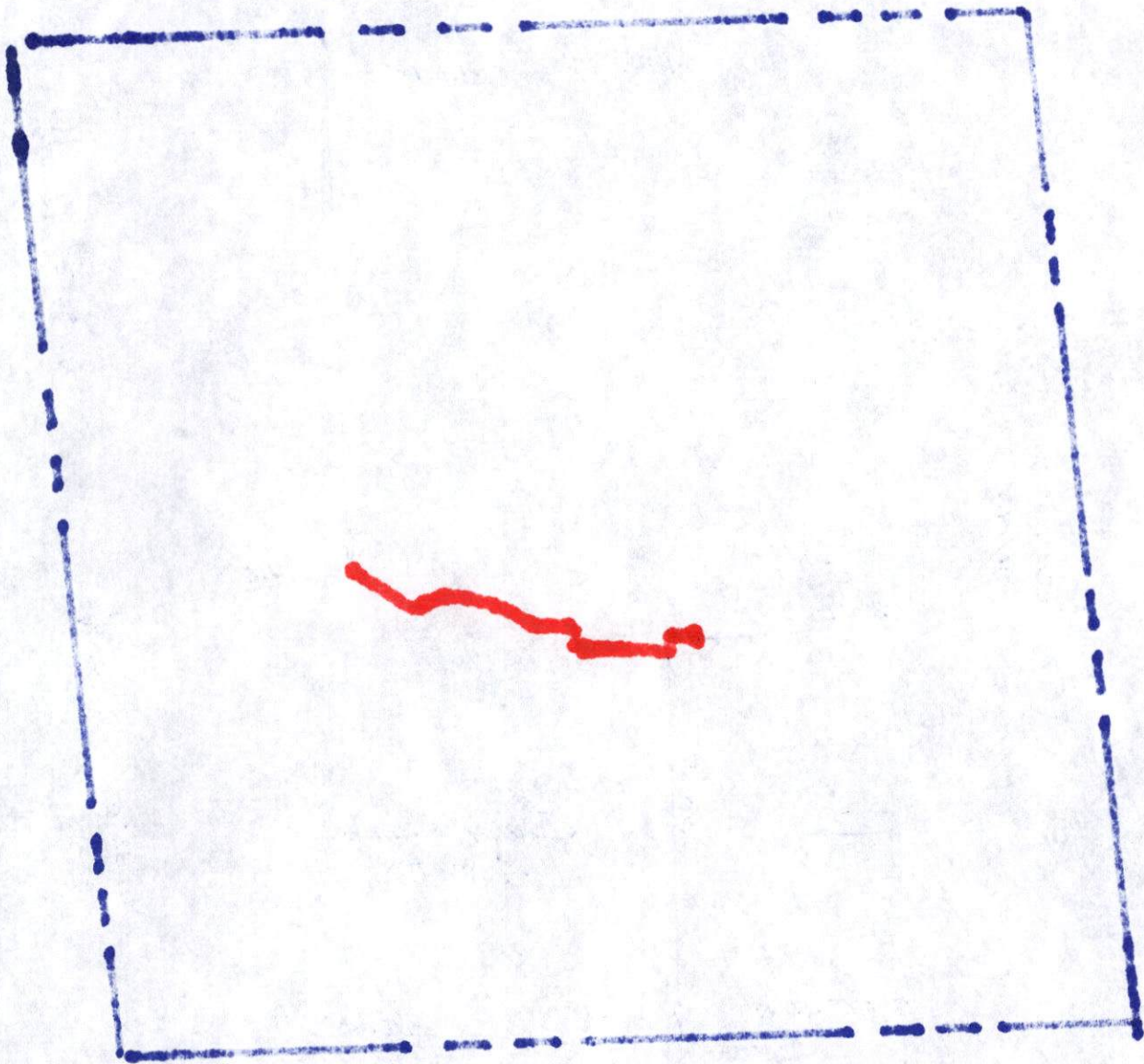
Homeowners' Tax Credit Application Status: No Application Date:











#11526 FALLS ROAD
 DAVID R. DUNN & ELIZA M. DUNN
 44790/385 25-00-014592



118 WESTMINSTER PIKE
 SUITE 100
 REISTERSTOWN, MD
 21136
 410.356.1620
 FAX: 410-356-1535

Carey Residence
 11530 Falls Road
 Timonium, MD 21093

SHEET TITLE
 Grading Plan

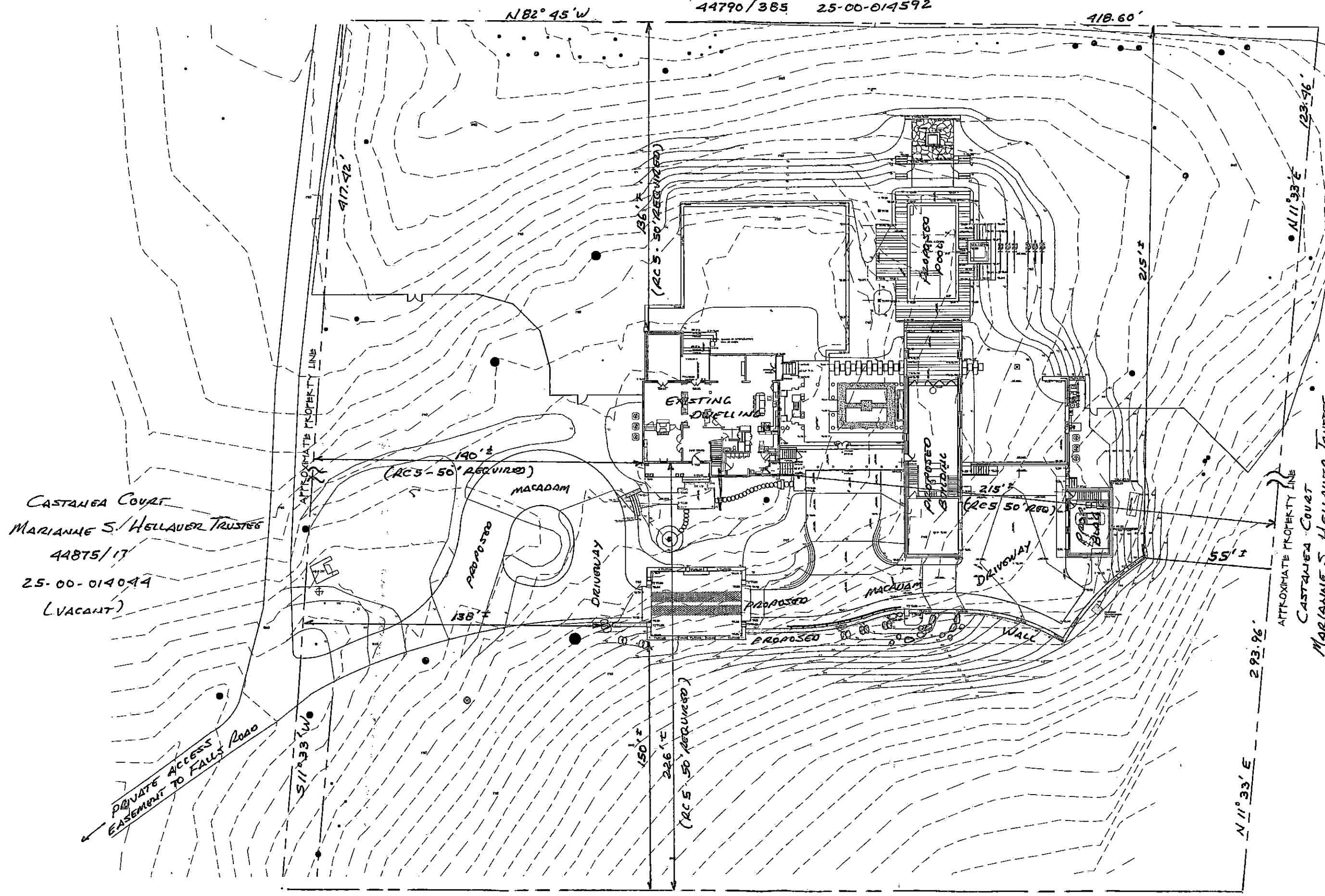


DATE
 August 2023

SCALE
 1" = 40'

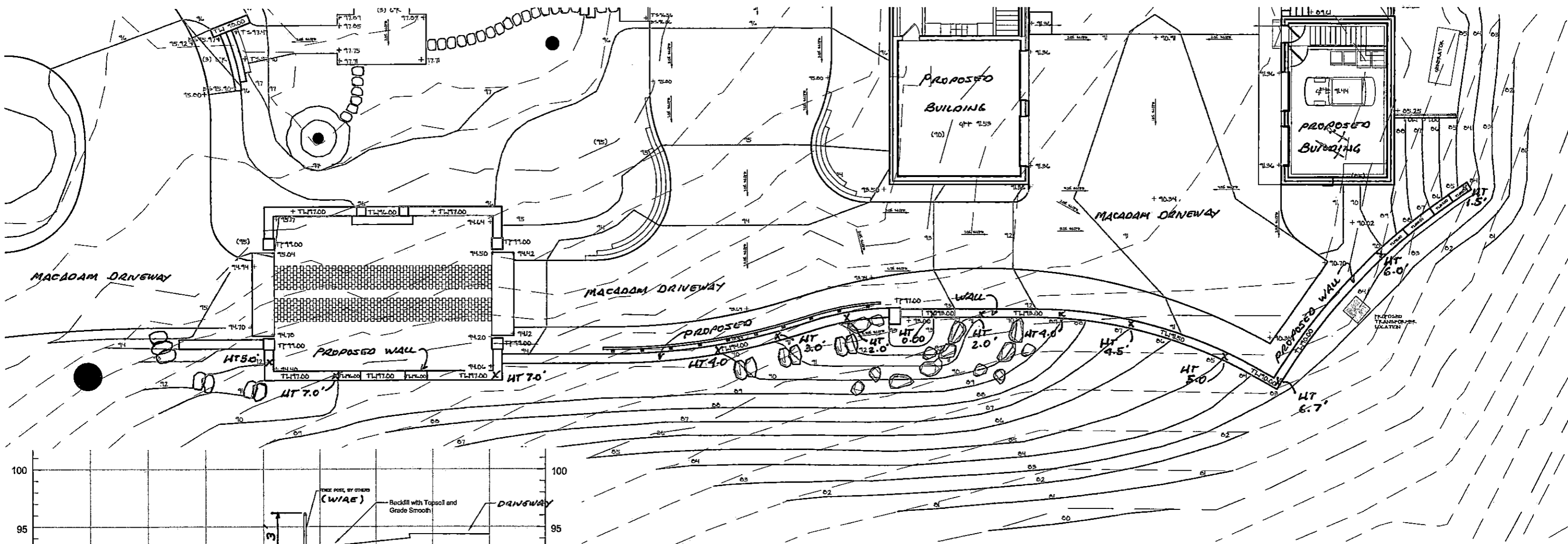
SHEET NO.
 OF

PROJECT NO.
 65000-50



CASTANEA COURT
 MARIANNE S. HELLAUER TRUSTEE

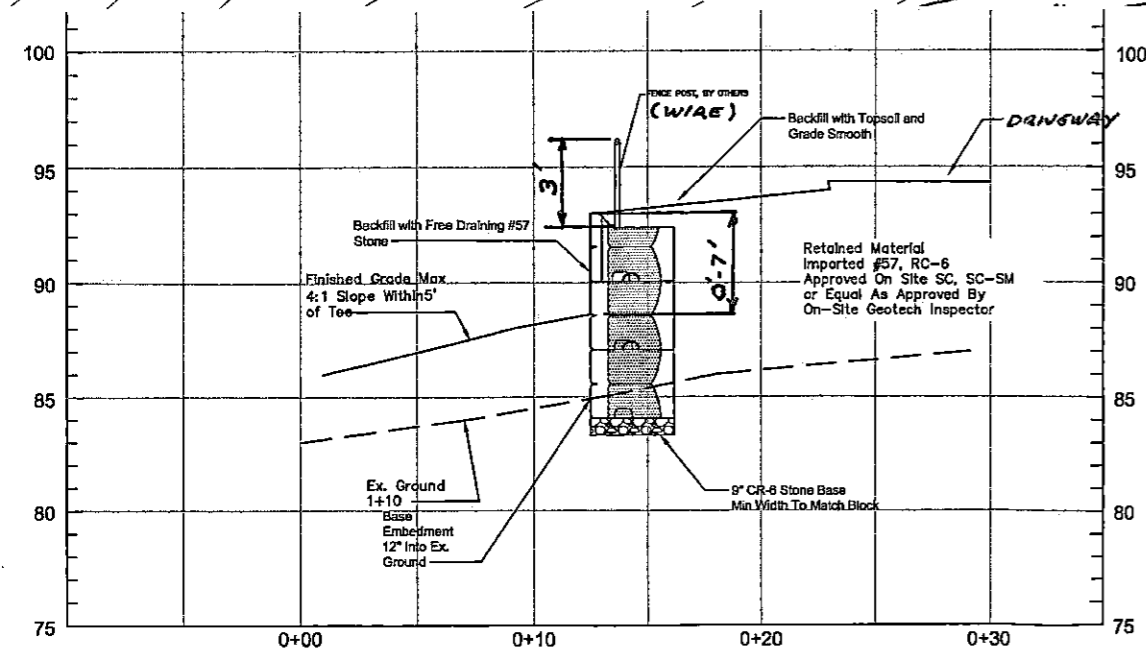
44875/17
 25-00-014044 (VACANT)



PLAN TO ACCOMPANY AN APPLICATION FOR AN ADMINISTRATIVE WAIVER
OF BUILDING CODE FENCE AND WALL HEIGHT LIMITATIONS

CAREY RESIDENCE
11530 FALLS ROAD TIMONIUM, MD 21093

- Notes:
1. The wall will retain the proposed driveway.
 2. The wall is made of stone.
 3. The wall will have a height varying from 0 feet to 7 feet, depending on the height of the slope below it.
 4. Baltimore County Code requires a protective fence 36 inches high to be erected on the wall for protection.
 5. The wall / fence combination will have a total height varying and not exceeding 120 inches.



TYPICAL RETAINING WALL SECTION
1+10 SHOWN FOR ILLUSTRATION
SCALE: NRS