

Application for Administrative Waiver to the Fence Height Limitations Of Sections 427.1 and 427.2, BCZR

Instructions: Fill out the information below above the signature line, sign & date. Prepare and submit a **Site Plan** (see requirements on the next 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 waiver decision will be based on evidence presented along with County maintained information about the site.

Property Address: 2903 Ellenham Ave
Towson, MD 21204

Owner: Ginger Kirby

Owner Address: (same) Phone (Cell): 443 956 5742
Phone (Home): 410 825 2150
Email: michael@mccannlaw.net

Corner Lot: Yes **OR** (No) Fence is located in: (Front Yard) **OR** Side Yard **OR** Rear Yard

The undersigned applicant hereby applies for a waiver to the height limitations requirements of the following sections of the Baltimore County Zoning Regulations (check the appropriate box below):

- ☒ Pursuant to Section 427.1.B, BCZR, to permit a Fence to be erected in the front yard with a Fence Height of 6' feet in lieu of the maximum allowed Fence Height of 42 inches (3.5 feet). (Attach fence location drawing)
- ☐ Pursuant to Section 427.1.C, BCZR, to permit a Fence to be erected in the side or rear yard with a Fence Height of _____ feet in lieu of the maximum allowed Fence Height of 6 feet. (Attach fence location drawing)
- ☐ Pursuant to Section 427.1.C, BCZR, to permit a Fence to be erected in the side or rear yard with a Fence Height of _____ feet when the fence is set back from the property line a horizontal distance of two feet for every vertical foot of height in excess of six feet. (Attach fence location drawing)
- ☐ Pursuant to Section 427.1.E and F, BCZR, to permit a Fence to be erected in the rear or side yard of a lot which adjoins the front yard of another lot on which a residence has been built with a Fence Height of _____ feet in lieu of the maximum allowed 42 inches (3.5 feet), when the fence is situated within ten feet of the adjoining front yard property line. (Attach fence location drawing)

Basis for Request: (see attached)

Applicant's Signature: Ginger Kirby by Michael McCann, Attorney in fact Date: 1/9/25

(County Use Only) Waiver Number UA-20 25-0005 FW
Date Property Posted 03/08/25 closing date 03/24/25
Input/comments/protests received within 15 days? Yes / (No)
Has Hearing been requested? Yes / (No)
(If Yes, attach record of Hearing)

Final Disposition: _____

Building Official or Designee: C. P. [Signature] Date: 03/24/25
JK

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Property Address: 7903 Ellenham Ave.
Towson, MD 21204

Owner: Ginger Kirby

Owner Address: (same) Phone (Cell): 443 956 5742
 Phone (Home): 410 825 2150
 Email: michael@mccannlaw.net

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

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Basis for Request:

(see attached)

Applicant's Signature:

Ginger Kirby by Michael

Date:

1/9/25

McCann, Attorney in fact

(County Use Only) Waiver Number UA-20 25-0005 FW

Date Property Posted 03/16/25 closing date 03/31/25

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

Has Hearing been requested? Yes / No

(If Yes, attach record of Hearing)

Final Disposition:

Building Official or Designee: _____ Date: _____

~~Affidavit in Support of Administrative Variance (attachment)~~

The property is unique in that it is landlocked, surrounded by other houses on all sides, and accessed only by a narrow private driveway that runs from Ellenham Avenue. The backyards of surrounding properties face towards my house.

As situated, the dominant/south-facing side of my home faces the backyard of my neighbors at 1810 Roland Avenue. For decades, these neighbors had a large fence in their backyard along our shared property line. The fence was on their property but also extended onto my property to the west. The fence shielded their backyard and confined their dogs. Recently, that part of the fence that was on their property was removed. I simply want to replace the fence with a fence of the same height on my side of the property line and connect it to the remaining part of the existing fence. It would impose a practical difficulty if the fence could not be connected/completed and views of my neighbors' back yard were not shielded and their dogs adequately confined.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **235175**

Date: **1/9/25**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$100.00

Total: **100.00**

Rec
From:

McCann, Michael

For:

Fence Waiver UA - 2025 - 000JFW
7903 Ellenham Ave

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



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:

Waiver Number UA-20 25 - 0005 -FW

Property Address: 7903 Ellenham Ave, Towson, MD 21204

Applicant's Name Michael McCann Telephone (Cell) 410-825-2150

Posting Date: 03/16/2025 Closing Date: 03/31/2025

WAIVER NOTICE

Corner Lot: Yes ☐ OR No ☒

Fence is located in: Front Yard ☒ OR Side Yard ☐ OR Rear Yard ☐

A request has been made for a waiver to construct a fence higher than allowed in accordance with Section 427.1 of the Baltimore County Zoning Regulations (check the appropriate box below):

☒ to permit a Fence to be erected in the front yard with a Fence Height of 6 feet in lieu of the maximum allowed Fence Height of 42 inches (3.5 feet)

☐ to permit a Fence to be erected in the side or rear yard with a Fence Height of _____ feet in lieu of the maximum allowed Fence Height of 6 feet.

☐ to permit a Fence to be erected in the side or rear yard with a Fence Height of _____ feet when the fence is set back from the property line a horizontal distance of two feet for every vertical foot of height in excess of six feet.

☐ to permit a Fence to be erected in the rear or side yard of a lot which adjoins the front yard of another lot on which a residence has been built with a Fence Height of _____ feet in lieu of the maximum allowed 42 inches (3.5 feet), when the fence is situated within ten feet of the adjoining front yard property line.

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.

January 8, 2025

Zoning Description
For
7903 Ellenham Avenue

Beginning at a point being distant the two following courses and distances from the center of Roland Avenue, (50' R/W), 1. North 02 degrees 46 minutes 55 seconds West, running with and binding on the West side of Ellenham Avenue (30' R/W), 129.87 feet, and thence leaving the West side of Ellenham Avenue and running along the South side of a 15' private Right-of-Way, 2. North 85 degrees 39 minutes 43 seconds East 154.20 feet, to the point of beginning of the herein described parcel of land, thence running with and binding the land of the herein petitioner,

1. North 4 degrees 18 minutes 17 seconds West 120.46 feet,
2. North 86 degrees 11 minutes 07 seconds East 165.44 feet,
3. South 06 degrees 44 minutes 37 seconds East 55.19 feet,
4. South 86 degrees 43 minutes 34 seconds West 9.27 feet,
5. South 02 degrees 59 minutes 06 seconds East 66.27 feet, and
6. South 86 degrees 29 minutes 30 seconds West 157.00 feet, to the place of beginning.

Containing 0.447 of an Ac. or 19,468 sq.ft. of land more or less. Being known as 7903 Ellenham Avenue and located in the 9th Election District, 2nd Councilmanic District.









BALTIMORE COUNTY DEPARTMENTS OF PERMITS APPROVALS & INSPECTIONS

APPROVED SIGN POSTERS

John Altmeyer
Cell: 410-382-6580
jaltmeyer@aol.com

J. Lawrence Pilson, R.S.
Cell: 443-834-8162
lpilson@hotmail.com

Troy Slevin, LEED AP, BD+C®
Work Direct 443.589.2442
Main Office 443.589.2400
tslevin@kleinfelder.com

Linda O'Keefe
Work: 410-666-5366
Cell: 443-604-6431
lucky linda1954@yahoo.com

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.com

Bruce E. Doak
Work: 443-900-5535
Cell: 410-419-4906
bdoak@bruceedoakconsulting.com

Richard Hoffman
Cell: 443-243-7360
dick_e@comcast.net

David Billingsley
Work: 410-679-8719
dwb0209@yahoo.com

Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

Sgt. Robert A. Black
Cell: 410-499-7940
1opie@comcast.net

The petitioner must use one of the sign posters on this approval list. Any reposting must also be done by one of these approved posters. If you wish to select a sign poster not shown on the list above, prior approval by the Department of Permits, Approvals and Inspections, Zoning Review Office, is required.

This department is not associated with any of the above posters, nor do we recommend any specific one. We do suggest that you contact a number of them to compare prices, since their charges may vary.

Nancy Baker
7907 Ellenham
Tax id. 1700013572

Thomas and Maija Jackson
7909 Ellenham
Tax id. 1700013576

Bonnie Mechliniski
7900 Roldrew Avenue
Tax id. 1800004279

Hubert Clay, Trustee
1808 Roland Avenue
Tax id. 0908550790

Sidney and Salam Mir
7905 Ellenham
Tax id. 1700013571

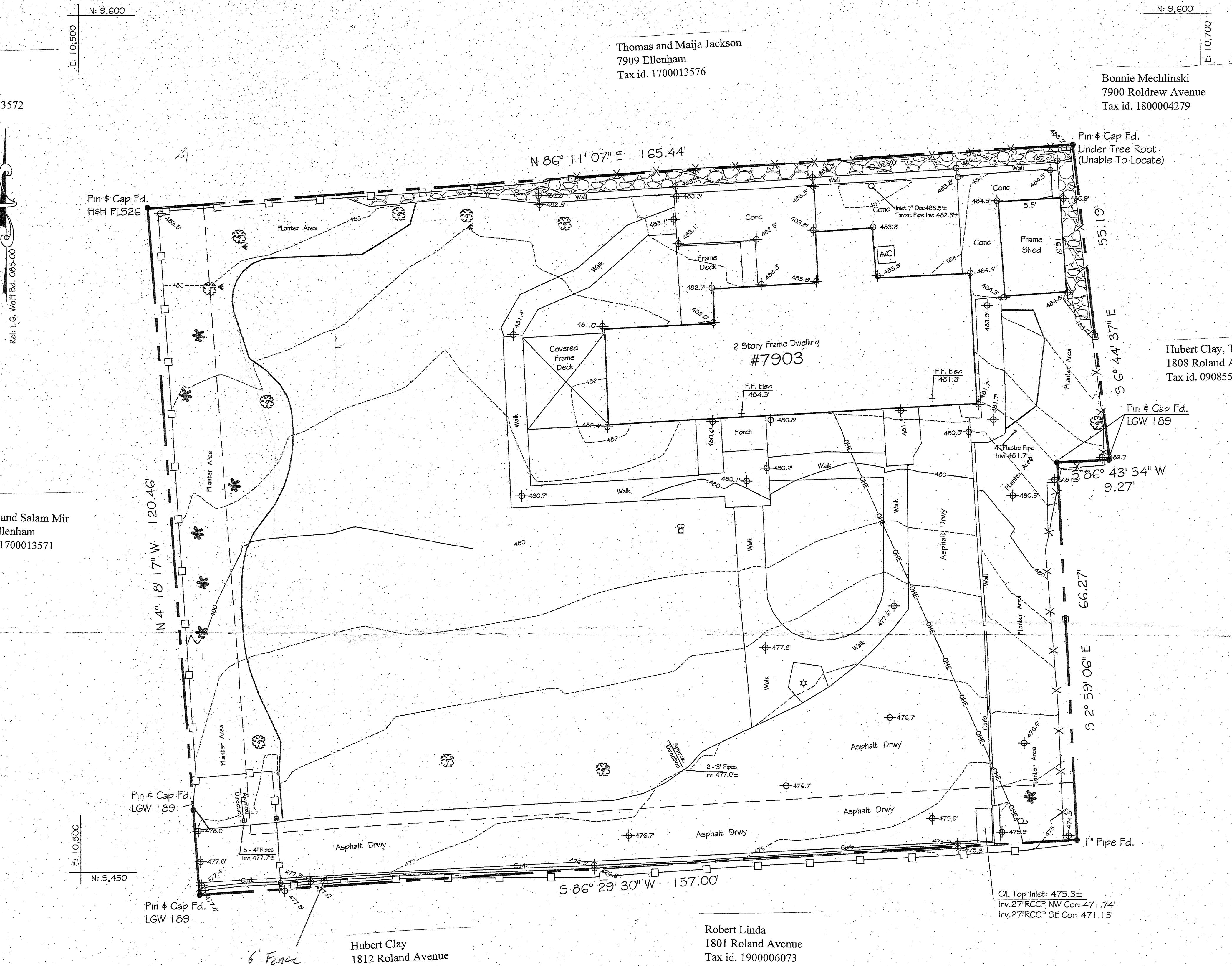
Hubert Clay
1812 Roland Avenue
Tax id. 1900006072

Robert Linda
1801 Roland Avenue
Tax id. 1900006073

NOTE:
Elevation datum shown is on an assumed system.
Horizontal datum shown is on an assumed system.
Bearings, distances and topographic locations shown
are reference to property evidence found that were
shown on an October 2000 Boundary Survey performed
by L. G. Wolff Associates, Inc.

Plan to Accompany Petition for Variances
7903 Ellenham Avenue, Towson, MD 21204
Date: January 9, 2025
Legal owner: Ginger Kirby
Scale 1" = 10'

Tax id. 0913752880
Lot size: 41 acres
Zoning: DR 3.5
9th Election District
2nd Councilman District
Prior zoning cases: none
Current/outstanding zoning violations: none
Public water and sewer: yes
Floodplain: no
Historic: no



SYMBOLS & ABBREVIATIONS

	FIRE HYDRANT		ELECTRIC HAND BOX
	WATER VALVE		TRANSFORMER
	WATER METER		ELECTRIC MANHOLE
	WATER MANHOLE		LIGHT POLE
	IRRIGATION VALVE		GUY POLE
	SANITARY SEWER MANHOLE		UTILITY POLE
	SANITARY SEWER CLEAN OUT		ELECTRIC JUNCTION BOX
	STORM DRAIN INLET		GROUND LIGHT
	STORM DRAIN MANHOLE		TRAFFIC SIGNAL POLE
	MONITORING WELL		DEPT. TRAFFIC & TRANSIT CONDUIT
	SIGN		DEPT. PUBLIC WORKS MANHOLE
	HANDICAP PARKING		DEPT. PUBLIC WORKS CONDUIT
	PARKING SPACES		TELEPHONE JUNCTION BOX
	GAS MANHOLE		TELEPHONE MANHOLE
	GAS METER		CABLE TV BOX
	GAS VALVE		WELL
	PETROLEUM MANHOLE		P.O.B. POINT OF BEGINNING
	PETROLEUM VALVE		TITLE EXCEPTIONS
	PARKING METER		MINIMUM BUILDING SETBACK LINE
	FLAG POLE		UNKNOWN MANHOLE
	FILLER CAP		STEAM MANHOLE
	DECIDUOUS TREE		BOLLARD
	EVERGREEN TREE		PROPERTY LINE(S)
	TREE STUMP		EASEMENT LINE(S)
	BUSH		WOOD FENCE
	DUMPSTER PAD		CHAIN LINK / METAL FENCE
	BUILDING HEIGHT		WOODS / TREE LINE
	STAKE ON LINE		OVERHEAD LINES
			RIP RAP / STONE

SURVEYOR'S CERTIFICATION
ROBERT P. GRIM, A REGISTERED PROPERTY LINE SURVEYOR,
No. 354, OF THE STATE OF MARYLAND, EITHER PERSONALLY
PREPARED THIS BOUNDARY RECOVERY & TOPOGRAPHIC SURVEY
OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEY WORK
REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET
FORTH IN REGULATION 09.13.06.12 OF THE CODE OF MARYLAND
REGULATIONS (COMAR).

LICENSE EXPIRATION 18 OCTOBER 2018.

