



KATHERINE A. KLAUSMEIER
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

September 5 , 2025

Asad Hafeez – assadhafeez@yahoo.com
Sana Tariq Raja
1410 Woodcliff Avenue
Catonsville, MD 21228

RE: **ORDER ON MOTION FOR RECONSIDERATION**
Case No. UA-2025-0010-FW
Property: 1410 Woodcliff Avenue

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order 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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlm
Enclosure
C: ~See Next Page~

- c: D. Dell – locationdigitalsound@hotmail.com
Woodbridge Valley Improvement Association – woodbridgevalley@gmail.com
Jessica Meola – jmeola@me.com
Jun Park – junpark895@gmail.com
Karen Bookheimer – karebook@verizon.net
Zahida Raja – zahidatraja@gmail.com
Tariq Raja – tariqmraja@gmail.com
Carolyn Moore – carolynadele@gmail.com
Diana Daly – jpdaly3@verizon.net
Jim Daly- jpdaly3@verizon.net
N. Raja- nishayraja@gmail.com

IN RE: PETITION FOR ADMINISTRATIVE FENCE WAIVER (1410 Woodcliff Avenue) 1st Election District 1st Council District Sana Tariq Raja & Asad Hafeez Petitioners	* * * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY CASE NO. UA-2025-0010-FW
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* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Waiver filed by Sana Tariq Raja and Asad Hafeez (“Petitioners”), owners of the property located at 1410 Woodcliff Avenue, Catonsville (the “Property”). Petitioners request an administrative waiver from Baltimore County Zoning Regulations (“BCZR”), § 427.1.B to permit a fence to be erected in the “front yard” with a fence height of 8 ft. in lieu of the maximum allowed fence height of 42 inches (3.5 ft.). A Formal Demand was filed on May 29, 2025 by neighboring property owners and the Woodbridge Valley Improvement and Civic Association, Inc.

A public hearing was held on July 15, 2025 at The Jefferson Building, 105 Chesapeake Avenue, Room 205, Towson, Maryland 21204. By Order dated July 23, 2025, Petitioners’ waiver request was denied.

On August 21, 2025, Petitioners filed a Motion for Reconsideration of the fence waiver denial. Among other things, Petitioners’ motion separates their request “by fence section” and reduces the scope and scale of the proposed perimeter fence from the previously requested height of 8 ft. Community members filed a response to that Motion which was received on August 29, 2025.

On consideration of Petitioners' motion and any response thereto, I find good cause to grant the fence waiver *in part*, but deny any fence height above the maximum permitted in a front yard or any fence height above 6 ft. anywhere along the perimeter of the property.


Petitioners request a fence height of 6 ft. along the property boundary line with 1406 & 1408 Woodcliff Avenue. Petitioners characterize this portion of the property as functioning more as a side or rear yard because of the property's panhandle shape, despite the home's orientation with respect to Woodcliff Avenue. Based upon the exhibits already contained in the record and the testimony from the public hearing on July 15, 2025, I agree. Moreover, this area is to remain heavily vegetated, mitigating any impacts of the fence. Therefore, I find good cause exists to grant a fence height waiver for a fence with a maximum height of 6 ft. along the property boundaries with 1406 & 1408 Woodcliff Avenue as shown on the Site Plan.

With respect to the property boundary directly adjacent to Woodcliff Avenue, I do not find good cause to grant a fence height waiver. As articulated in the previous Order, this portion of the property sits at elevation and the appearance of any fence height above the maximum height permitted of 42 inches is exacerbated—not mitigated—by the site's topography. No evidence was admitted at the hearing or is raised in the Motion to disturb this part of the previous Order. This portion of the property is undeniably a "front yard" and no evidence was submitted that would give rise to good cause to grant a fence height waiver for this portion of the property.

THEREFORE, IT IS ORDERED this **5th** day of **September, 2025**, that Petitioner's request for reconsideration is hereby **GRANTED IN PART** in that the portion of the property bounded by shared property lines with 1406 & 1408 Woodcliff Avenue, as indicated in Petitioners' Site Plan, is permitted to erect an opaque fence to a maximum height of 6 vertical ft.; and

IT IS FURTHER ORDERED, that Petitioners' request for reconsideration of the denial of a fence height waiver for the portion of the property directly adjacent to Woodcliff Avenue is hereby **DENIED**.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



DEREK J. BAUMGARDNER
Administrative Law Judge for
Baltimore County

DJB:dlm



KATHERINE A. KLAUSMEIER
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 23, 2025

Asad Hafeez – assadhafeez@yahoo.com
Sana Tariq Raja
1410 Woodcliff Avenue
Catonsville, MD 21228

RE: Fence Waiver
Case No. UA-2025-0010-FW
Property: 1410 Woodcliff Avenue

Dear Petitioners:

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Woodbridge Valley Improvement Association – woodbridgevalley@gmail.com
Jessica Meola – jmeola@me.com
Jun Park – junpark895@gmail.com
Karen Bookheimer – karebook@verizon.net
Zahida Raja – zahidatraja@gmail.com
Tariq Raja – tariqmraja@gmail.com
Carolyn Moore – carolynadele@gmail.com
Diana Daly – jpdaly3@verizon.net
Jim Daly- jpdaly3@verizon.net
N. Raja- nishayraja@gmail.com

IN RE: PETITION FOR ADMINISTRATIVE FENCE WAIVER (1410 Woodcliff Avenue) 1st Election District 1st Council District Sana Tariq Raja & Asad Hafeez Petitioners	* * * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY CASE NO. UA-2025-0010-FW
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* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Waiver filed by Sana Tariq Raja and Asad Hafeez (“Petitioners”), owners of the property located at 1410 Woodcliff Avenue, Catonsville (the “Property”). Petitioners request an administrative waiver from Baltimore County Zoning Regulations (“BCZR”), § 427.1.B to permit a fence to be erected in the “front yard” with a fence height of 8 ft. in lieu of the maximum allowed fence height of 42 inches (3.5 ft.). A Formal Demand was filed on May 29, 2025 by neighboring property owners and the Woodbridge Valley Improvement and Civic Association, Inc.

A public hearing was held on July 15, 2025 at The Jefferson Building, 105 Chesapeake Avenue, Room 205, Towson, Maryland 21204. Petitioners attended the hearing in support of their Petition. Community members Dwayne Dell, Jun Park, Jessica Meola, Karen Bookheimer, Zahida Raja, Diana Daley, Carolyn Moore, Nighay Raja, and Charles Springer on behalf of the Woodbridge Valley Improvement & Civic Association. The Property was properly posted and no county agency comments were received.

Petitioners submitted the following exhibits which were admitted into the record: (1) GIS map; (2) Site Plan; (3) Photo 1; (4) Photo 2a; (5) Photo 2b; (6) Photo 2c; (7) Photo 2d; (8) Photo 3a; (9) Photo 3b; (10) Photo 4a; (11) Photo 4b; (12) Fence Examples; and (13) Property clean up

photo. Interested party, Woodbridge Valley Improvement & Civic Association (“WVICA”), submitted the following exhibits which were admitted into the record: (1) Articles of Incorporation; (2) Map; (3) Covenant; (4) Entrance photo; (5) General photos of community; (6) Photos of 1410 Woodbridge Valley; (7) 911 call transcript; (8) Baltimore County website on open burn regulations; and (9) photo showing location of fire hydrant. All exhibits were admitted into the record.

Findings of Fact

The Property is comprised of three separate parcels with approximately 2.7 acres in total land area. The primary lot (Tax ID: 2000005007) for purposes of this Petition for Waiver consists of 1.7 acres and is improved with a 2,380 SF single-family dwelling originally constructed in 1960 as well as an accessory structure (chicken coop/shed). Substantial portions of the property remain heavily vegetated and the primary lot sits at elevation from surrounding lots and Woodcliff Avenue. The Property is a large panhandle lot of irregular shape from adjacent lots although the home itself is comparable in size and character to surroundings homes in the residential subdivision of Woodbridge Valley.

Petitioners request waiver from the maximum heights limits for residential fences to erect an 8-ft. tall stockade-style fence around the southern portion of the property. Ms. Raja described the purpose of the fence and requested height to provide enhanced privacy and security for the home. Ms. Raja further testified to recent incident with known and unknown individuals trespassing on the property and otherwise invading Petitioners’ privacy. Ms. Raja and Mr. Hafeez both testified to recent interactions with neighbors and county building officials that led them to believe that erecting the proposed fence would provide enhanced privacy and security for their home. Petitioners introduced exhibits showing the location of the fence, photographs of the

property, examples of fence styles, and illustrative exhibits showing the difference between 6- and 8-ft. fence heights. Zahida Raja and Nighat Raja, Ms. Raja's sisters, corroborated Ms. Raja's testimony in regard to safety and privacy concerns.

On behalf of the Woodbridge Valley Improvement & Civic Association, Mr. Charles Springer testified to a covenant encumbering the Property with respect to fences and improvements, among other matters. Mr. Springer stated that during his tenure with the Association no property owner had ever requested a 10-ft. tall fence. Mr. Dwayne Dell, an adjacent neighbor, testified to recent interactions with Petitioners including alleged bonfires and other alleged activities occurring on the property that may or may not be permitted under current county code. Mr. Dell also expressed concern regarding access to an existing fire hydrant proximate to Woodcliff Avenue that may be impeded due to the proposed fence. Another adjacent neighbor, Ms. Park, expressed opposition to the proposed fence for its negative impact on her property and the character of the neighborhood while other neighbors including Ms. Meola, Ms. Daley, and Ms. Moore expressed understanding of the desire and need for the proposed fence and did not object to the granting of waiver for the proposed height.

Conclusions of Law

Residential fences in Baltimore County are limited to a maximum height of 42 in. for front yards and 6 ft. for side and rear yards. *See* BCZR § 427.1.¹ Pursuant to BCZR § 427.4 (B), the

¹ BCZR § 427.1

Conditions for use; exceptions.

A. Applicability.

1. Subsections D and E of this section do not apply to a fence required by § 13-6-101 of the Baltimore County Code, as revised, to be constructed in order to screen a swimming pool.

2. Subsections D and E of this section do not apply if the residences on the adjoining lots are more than 200 feet apart.

B. Front yards. The maximum height permitted for any 16 residential occupancy fence shall be 42 inches above normal grade in a front yard.

C. Side and rear yards. The maximum height permitted for any residential occupancy fence shall be six feet above normal grade in a side and rear yard. A fence may be erected up to ten feet high in a side or rear yard 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.

D. Notwithstanding any other provisions of this Code or the Baltimore County Code, in a D.R. or R.C. 5 zone located in a historic district, the maximum height of a residential occupancy fence is 42 inches if the fence is erected in the side yard of a lot that adjoins a public road.

E. A residential occupancy fence may not be erected in the rear or side yard of a lot which adjoins the front yard of another on which a residence has been built, except in accordance with the provisions of this section.

building official or [building official's] designee is authorized to grant fence height waivers provided public notice has been given and a public hearing has been held before the administrative law judge if requested. *See* BCZR § 427.4². Any order by the building official granting a waiver shall contain a finding of fact setting forth and specifying the reason or reasons for allowing such a waiver. BCZR § 427.4 (E). Therefore, by this ALJ's best interpretation, the grant or denial of a fence height waiver is determined upon a finding of "good cause."

Upon review of the file, exhibits, and testimony offered by Petitioners as well as community members, I do not find good cause to grant a waiver for the proposed residential fence of 8 ft. in lieu of the required maximum height of 42 in. for front yards and 6 ft. for side and rear yards. While fences in residential yards are permitted by right, there is nothing in this record to show how the proposed height of 8 ft. is appropriate or necessary in this residential subdivision. Moreover, while the Property is unique in its shape and location, it is the Property's size, location, slope and elevation that make an 8 ft. tall stockage fence out of character with the community. Moreover, taking Pet. Exhs. 6 & 9 into account, the record provides no compelling evidence showing the appreciable difference with respect to privacy or security for an 8-ft. fence vs. a 6-ft. fence or 42-inch fence when balanced with the concerns of neighboring property owners. In particular, the Property's location elevated above surrounding properties and from

F. The fence may not exceed 42 inches in height if situated within ten feet of the adjoining front yard property line.

² A. Any person may apply for a waiver to the height limitation requirements of Sections 427.1 and 427.2.

B. The building official or designee is authorized to grant such waivers, provided public notice has been given and a public hearing has been held before the administrative law judge if requested.

C. 1. Public notice shall consist of posting the property for a period of 15 days.

2. Anyone living within 1,000 feet of the subject property may request a public hearing, or may submit written comments for consideration.

3. If no public hearing is requested, the building official or designee may grant a waiver containing any appropriate conditions or limitations.

4. If a public hearing is requested, notice shall be further provided by posting the property for an additional 15 days.

5. Such notice shall include the date, time, and location of the hearing.

D. Any person aggrieved by the decision of the building official or designee may file a notice of appeal with the board of appeals and the department of permits, approvals, and inspections within 30 days after the date of the final decision of the hearing officer.

E. Any order by the building official granting a waiver shall contain a finding of fact setting forth and specifying the reason or reasons for allowing such a waiver. BCZR § 427.4.

Woodcliff Avenue likely makes an 8 ft. tall fence appear more imposing rather than visually mitigate its height. Moreover, while it is not unreasonable to make efforts to increase privacy and security in one's home, and Maryland law on real property does come with the inherent right to exclude, there is no absolute right to privacy in outdoor yard areas (e.g. curtilage) such that complete visual obstruction is warranted or permitted. BCZR provides fence height maximums for this very reason, to both provide property owners the ability to erect fences for privacy and security but also to limit the height of those fences to preserve the character of a community and to promote the general health, safety and welfare. Petitioners presented no compelling evidence to explain how an 8 ft. tall stockade fence was warranted under these circumstances or how an 8 ft. fence balanced the competing interests of privacy and security with county regulations intended to preserve community character, property values, and property integrity to promote the general health, safety and welfare.

However, I find that the record in this matter is insufficient to establish the orientation of the home and thus to establish which portion of the property constitutes the front, side, and rear yards. BCZR §101.1 defines required yards in the following manner:

YARD — Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

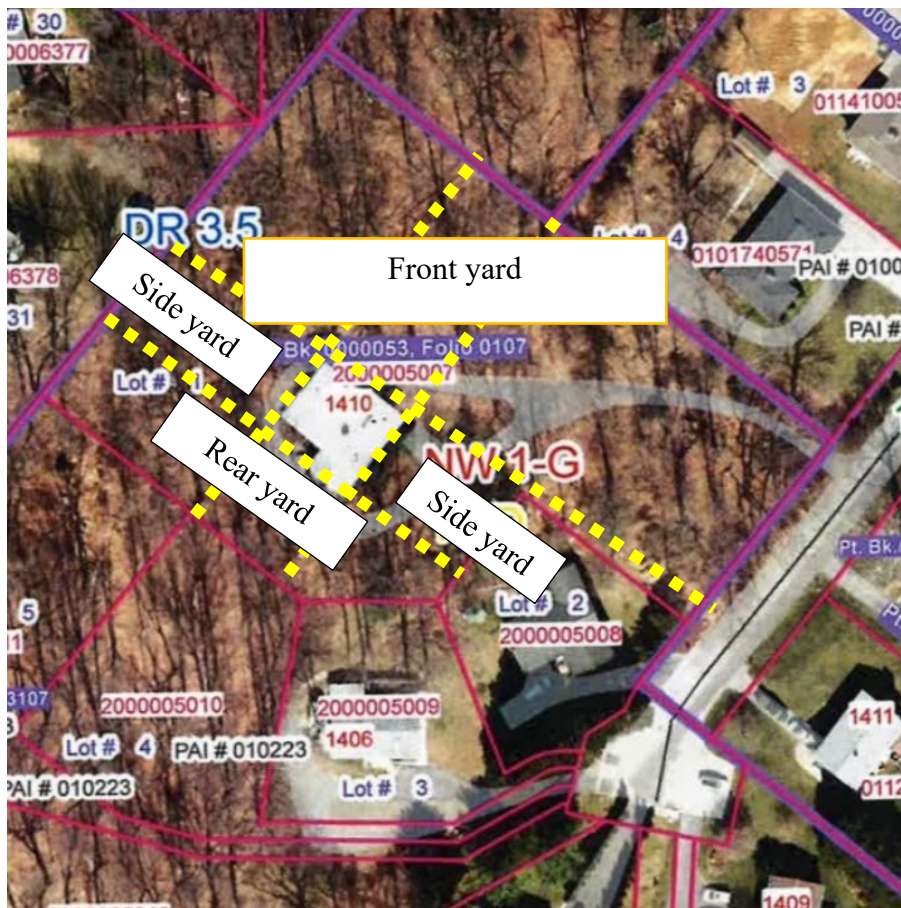
YARD, FRONT — A yard extending across the full width of the lot, between the front lot line and the front foundation wall of the main building.

YARD, REAR — A yard extending across the full width of the lot, between the rear lot line and the rear foundation of the main building.

YARD, SIDE — A yard extending from the front yard to the rear yard, between the side lot line and the side foundation wall of the main building.

As yards are established from the orientation of the residence, it is unclear from this record where front, side, and rear yards are located on this property. As illustrated on Petitioner’s Site Plan, the proposed fence located along the property line with 1408 Woodcliff Avenue and 1406 Woodcliff Avenue is marked as a “front yard.” In an alternate analysis, if the existing home is instead oriented to the northeast (e.g. front door on the NE corner of the home), this portion of the fence may well be considered a “side yard” or “rear yard.” See Figure 1 below:

Figure 1: Alternate Yard Analysis



Under this alternate yard analysis, while I do not find good cause to grant a height waiver for the erection of an 8ft. tall stockade fence, BCZR permits the erection of fences in side and rear yards to a height of 6 ft., subject to PAI permitting requirements, without obtaining a waiver. That

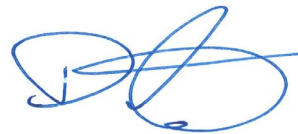
option is not precluded by this waiver denial subject to the authority of PAI to accurately identify required yards.

Please be advised that Community Exhibit 3, Woodbridge Valley Covenant document, is purported to be a private covenant between property owners and WVICA.

OAH makes no representations with regard to that covenant, its enforceability, or its impact on any improvements made or proposed by property owners in Woodbridge Valley. This proceeding has no impact on any private covenants or the enforceability of private covenants between the parties. This proceeding solely adjudicates matters with respect to Baltimore County Zoning Regulations. Any action with respect to private covenants is outside the jurisdiction of OAH.

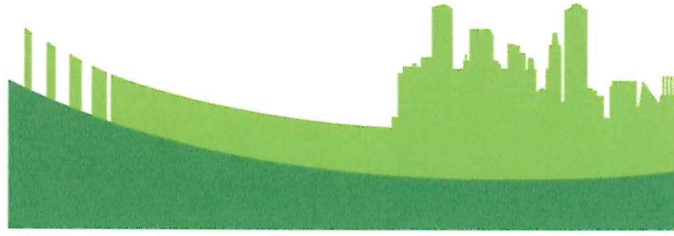
THEREFORE, IT IS ORDERED, this **23rd** day of **July, 2025**, by the Administrative Law Judge for Baltimore County, that the Petitioners are requesting from the Baltimore County Zoning Regulations (“BCZR”), § 427.1.B, 427.1.B to permit a fence to be erected in the front yard with a fence height of 8 ft. in lieu of the maximum allowed fence height of 42 inches (3.5) be and is hereby **DENIED**.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



DEREK J. BAUMGARDNER
Administrative Law Judge for
Baltimore County

DJB:dlm



CERTIFICATE OF POSTING

June 29, 2025

_____ amended for second inspection

Re:

Waiver Case No. UA-2025-0010-FW

Legal Owner: Raja & Hafeez

Hearing date: July 15, 2025

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 **1410 Woodcliff Avenue**.

The signs were initially posted on June 29, 2025.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak".

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

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

Case #: UA-2025-0010FW

1410 Woodcliff Avenue

Council District 1, Election District 1
Legal Owners: Sana Tariq Raja & Asad Hafeez

FENCE WAIVER: FROM THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR"), SECTION 427.1, TO CONSTRUCT A FENCE HIGHER THAN ALLOWED, AND TO PERMIT A FENCE TO BE ERRECTED IN THE FRONT YARD WITH A FENCE HEIGHT OF 8 FEET IN LIEU OF THE MAXIMUM ALLOWED FENCE HEIGHT OF 42 INCHES (3.5 FEET).

Hearing Date: Tuesday, July 15, 2025 at 10:00 a.m.

If an in-person hearing has been requested in writing and granted, the hearing location is: The Administration Building, 105 W. Chesapeake Ave., Hearing Room 204, Towson, MD 21286. Please contact the Administrative Hearings a few days prior to the hearing to confirm the hearing location at the number or email address shown below. Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 101, Towson, Maryland 21286. Phone: 410-387-1500
Email: administrativehearings@balto.org

HANDICAPPED ACCESSIBLE

ZONING HEARING

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105 West Chesapeake Avenue, Suite 103, Towson, Maryland 21284 Phone 410-887-3800 ext 0
Email: administrativehearings@baltimorecountymd.gov

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Email: administrativehearings@baltimorecountymd.gov

HEARING ROOM ACCESSIBLE