



KATHERINE A. KLAUSMEIER
County Executive

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

November 17, 2025

Oladipo Fadiora lanre39@yahoo.com
8616 Glen Hannah Court
Windsor Mill, MD 21244

RE: Fence Waiver
Case No. UA-2025-0020-FW
Property: 8616 Glen Hannah Court

Dear Petitioner:

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,

A handwritten signature in black ink, appearing to read "Andrew M. Belt".

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

DJB:dlm
Enclosure
c: *See Next Page*

Page Two

Case No: UA-2025-0020-FW

Cc: E.M.Brown Sr. ebstr777@gmail.com
Lanre Fadiora N/A lanre39@yahoo.com
Shantae Carroll shantaeblessedbygod@gmail.com
Valerie Brown vlfstr@yahoo.com

**IN RE: PETITION FOR ADMINISTRATIVE
FENCE WAIVER**
(8616 Glen Hannah Court)
2nd Election District
4th Council District
Oladipo Fadiora

Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. UA-2025-0020-FW**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Fence Waiver filed by the legal owner, Oladipo Fadiora (“Petitioner”) for the property located at 8616 Glen Hannah Court, New Windsor, (the “Property”). The Petitioner is requesting from the Baltimore County Zoning Regulations (“BCZR”), § 427.1.B to permit a Fence to be erected in the front yard with a fence height of 6 ft., in lieu of the maximum allowed fence height of 42 inches (3.5).

A Formal Demand was filed by a neighbor, Emmanuel M. Brown, Sr., and Valerie Brown on September 8, 2025.

A virtual Webex hearing was held on November 10, 2025. Present at the hearing was the Petitioner, Oladipo Fadiora. The Protestants, Emmanuel M. Brown, Sr. and Valerie Brown, nearby residents, Shantae Carroll, Cenna Brooks-Byers and Dreama Smith were also present at the hearing.

The Property was posted. No Zoning Advisory Committee (“ZAC”) comments were received from any of the County agencies.

Petitioner, Mr. Fadiora testified that he has begun construction of a retaining wall and proposed fence along the side of his property bordering that of Protestants, Emmanuel and Valerie

ORDER RECEIVED FOR FILING

Date 11-17-25

By low

Brown. He described the purpose of the retaining wall is to remedy the erosion of his property along the hill bordering the Browns. He further explained that the level area behind the retaining wall will be used for parking and that a 42-inch -high fence would be erected on the top of the wall for safety purposes. (Pet. Ex. 4) He noted that the cinder block wall would eventually be finished with a more decorative material. Mr. Fadiora testified that County inspectors had visited his property and informed him of the need for a fence height waiver, but admitted that portions of the wall already constructed are approximately 5 ft. in height. Mr. Fadiora indicated that he plans to place a fence on this portion of the wall as well, which would make it a total in excess of 8 ft. when viewed from the Browns' side of the wall. As noted on his site plan, Mr. Fadiora conceded that a portion of the already constructed wall is located on Mr. Brown's property and must be removed. (Pet. Ex. 3)

Protestant, Emmanuel Brown testified that he fears that the unsightly nature of the proposed wall and fence will negatively affect his property value. Additionally, he testified that the portion of the wall already constructed negatively affects the view of the rear of this property that he previously enjoyed. Both Mr. Brown, and the other interested neighbors who attended the hearing noted that the walls construction did not follow the covenants established through the Timber Glen HOA.

DECISION

Residential fences in Baltimore County are limited to a maximum height of 42 inches for yards and 6 ft. for side and rear yards.

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Date 11-17-25

By low

See BCZR § 427.1.¹ Pursuant to BCZR § 427.4 (B), the 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 ("ALJ") 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). The previous version of BCZR § 427.1 required variance relief to be requested in order to deviate from front fence height requirements.³ Accordingly, the applicable law applied in adjudicated such requests was clearly dictated by the factors announced in *Cromwell v. Ward*.⁴ In the current statutory iteration of "Fence Waiver" regulations, the word "variance" has been removed and no legal standard of review has been put in its place. In the absence of clear guidance at law, the tenets of Equity will be employed in adjudicating the case at bar. Utilizing

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 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.

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.

³ The former BCZR 421.1B3 states the following:

B.

3. Any person may request a *variance* from the requirements of this subsection.

⁴ 102 Md. App. 691 (1995).

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Date 11-17-25

By DW

the tenets of equity in this matter involves weighing the Petitioners' desire for privacy against, or in this case, soil erosion, against any negative impacts suffered by the Protestants as a result of the Petitioners' erection of a retaining wall and fence, which at certain locations, may exceed 9ft.

In this matter Mr. Fadiora has testified that the proposed wall and fence is needed to prevent further soil erosion from his property. This testimony has not been contradicted. However, what is absent from the Petitioner's case is any testimony regarding the need for the proposed wall and fence to accomplish the Petitioner's stated purpose. Additionally, while the Petitioner's application for Administrative Waiver reflects a requested height of 6 ft., it is unclear as to what the height the wall and fence will actually be once it is completed. Further complicating the Petitioner's request is the fact that a portion of the wall which is subject to the waiver request at bar, is located on Mr. Brown's property, making such a request moot as to that portion of the wall. One tenet of the law of Equity is that "those who come into equity must have clean hands." *Manown v. Adams*, 89 Md. App. 503 (1991) (citing *Roman v. Mali*, 42 Md. 513, 533-34 (1875) In this matter the Petitioner wanting in this regard due to the fact that they have built a portion of the wall at issue in excess of a height of 42 inches without first securing a permit, thus, creating the classic "forgiveness rather than permission" scenario. Additionally, the Petitioner has managed to do so by encroaching onto the neighboring property. While their motives for erecting such a wall and fence appears to be grounded in sound logic, they are not similarly grounded in law. Consequently, the Petitioner's request must be denied.

THEREFORE, IT IS ORDERED, this 17th day of **November, 2025**, by the Administrative Law Judge for Baltimore County, that the Petitioners are requesting from the Baltimore County Zoning Regulations ("BCZR"), § 427.1.B, to permit a Fence to be erected in the front yard with a

ORDER RECEIVED FOR FILING

Date 11-17-25

By [Signature]

fence height of 6 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.



ANDREW M. BELT
Administrative Law Judge for
Baltimore County

AMB:dlm

ORDER RECEIVED FOR FILING

Date 11-17-25

By kw

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

Instructions: Fill out, sign & date the information below (above the dotted line) and prepare a Site Plan (see requirements on the next two pages). Send this completed application and the completed site plan to the Baltimore County Zoning Review Office, County Office Building, 111 W. Chesapeake Avenue, Room 124, 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: 8616 Glen Hannah Ct, Windsor mill 21244
Tax Account Number: 23-00011663
Applicant/Owner: OLADIPO FADIORA
Applicant/Owner Address: 8616 Glen Hannah Ct Phone (Cell): 443-865-7549
Windsor mill 21244 Phone (Home): _____
Email: Larrie39@yahoo.com

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: Retaining Wall Fence

Applicant's Signature: [Signature] Date: 7/22/2025

To the Fence Waiver Applicant: This Portion of the Form is for Use by Baltimore County Only!

Waiver Number UA-2025 - 0020 -FW (County Use Only)

Date Property Posted: 9/5/25 Closing Date: 9/20/25 (15 days after posting date)

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

Has Hearing been requested? Yes / No (If Yes, attach record of Hearing)

Final Disposition: Approved

Code Official or Designee: [Signature] Date: 12/23/25



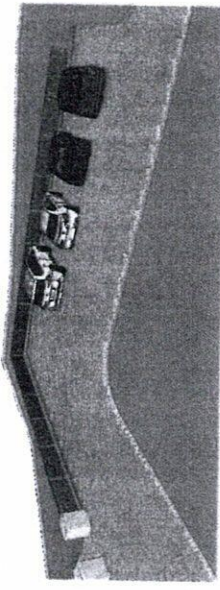
8616 GLEN HANNAH CT.
BALTIMORE, MARYLAND 21244

RETAINING WALL DESIGN

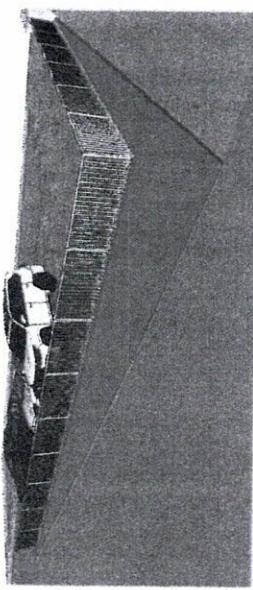
DATE: APR 24

PROJECT NO.	18-0000
DATE	04-24-2018
SCALE	AS SHOWN
DESIGNER	18-0000
CHECKER	18-0000

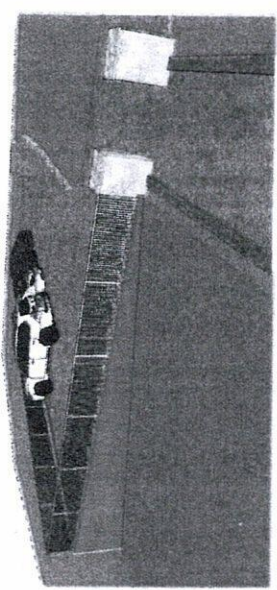
WALL ELEVATIONS & SECTIONS
S 003



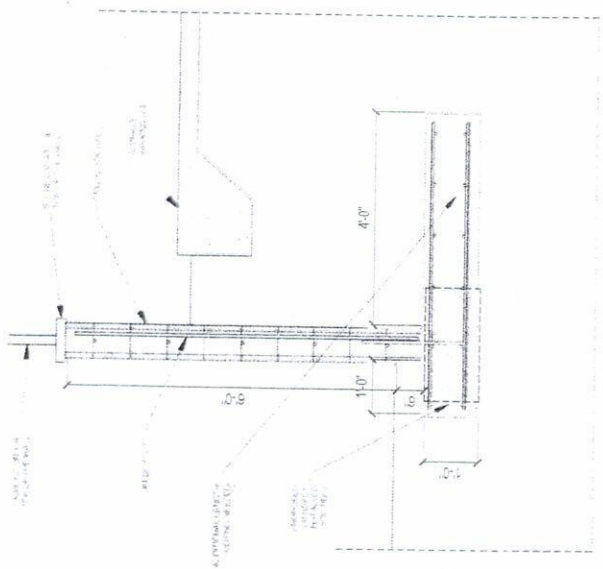
3 FRONT VIEW



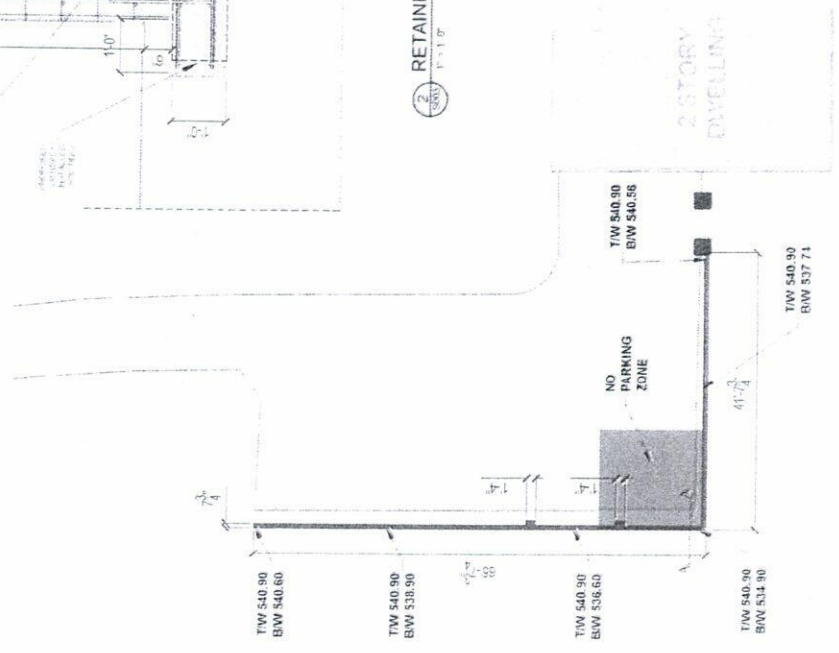
4 REAR VIEW



5 SIDE VIEW



2 RETAINING WALL - SECTION A-A

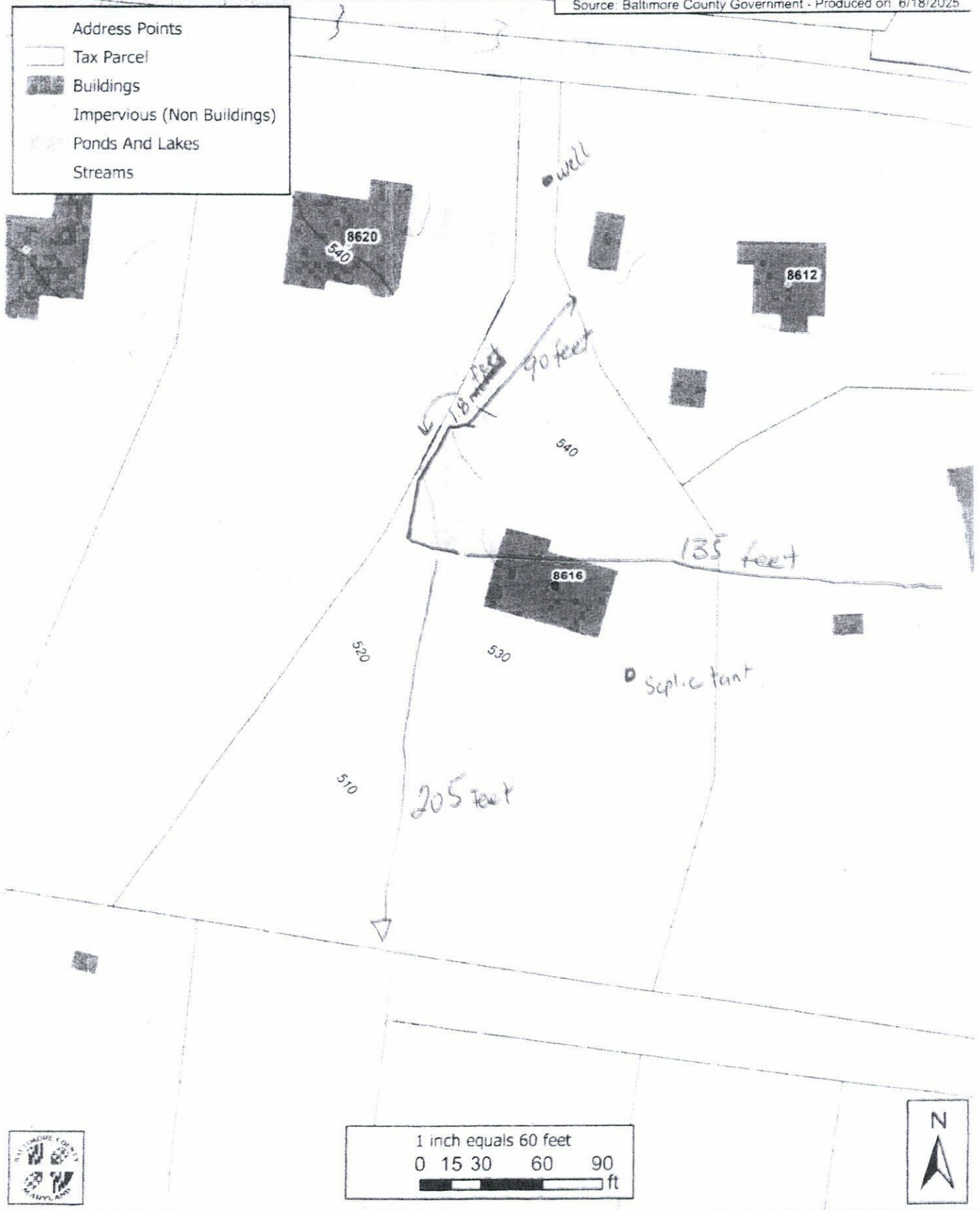


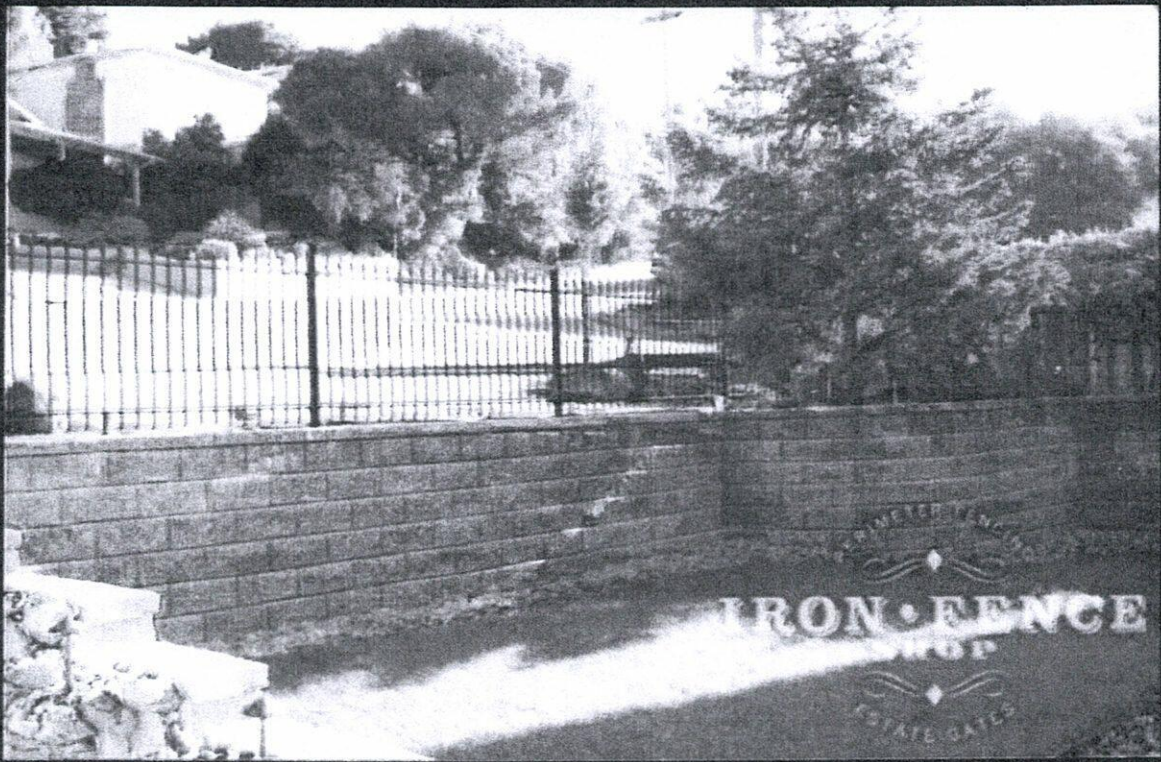
1 RETAINING WALL - TOP VIEW

8616 Glen Hannah Ct

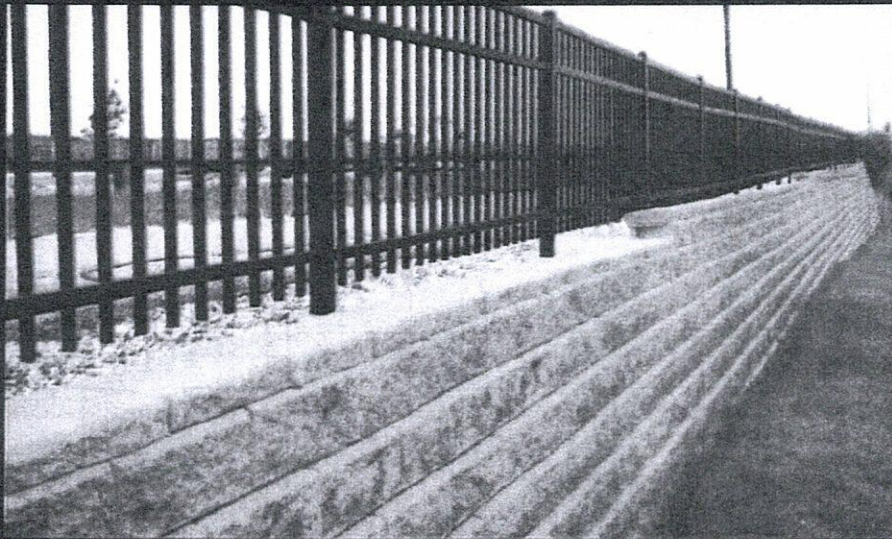
Source: Baltimore County Government - Produced on: 6/18/2025

- Address Points
- Tax Parcel
- Buildings
- Impervious (Non Buildings)
- Ponds And Lakes
- Streams





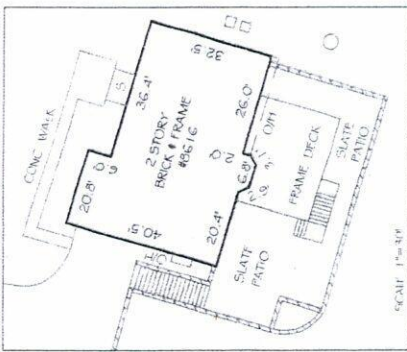
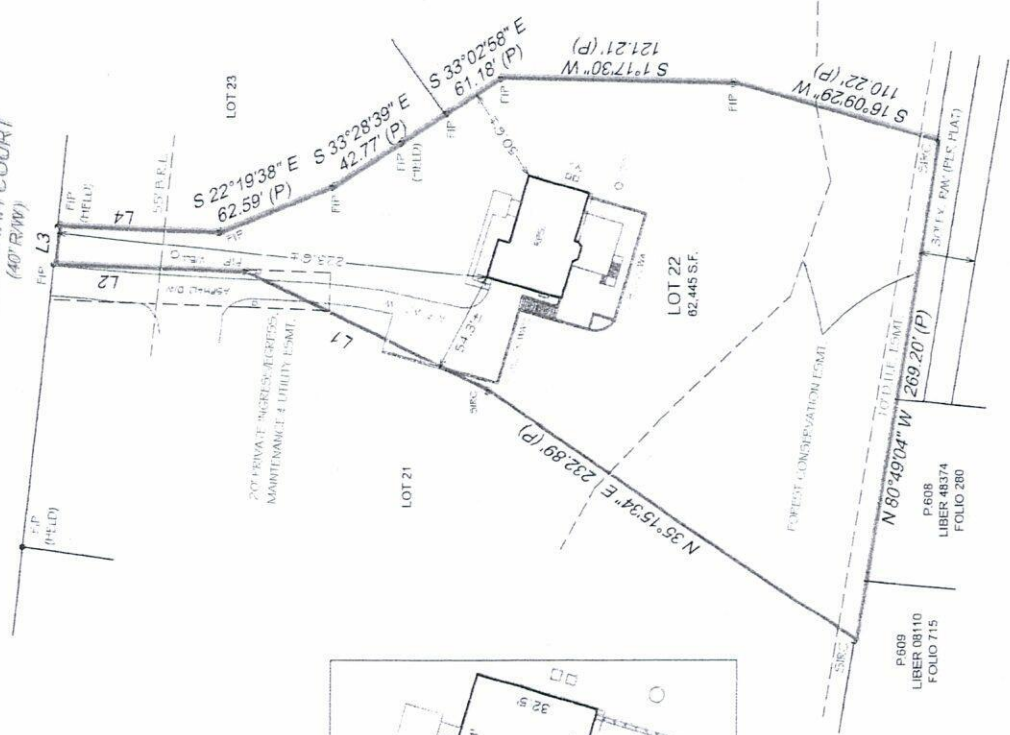
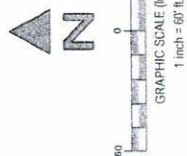




2411.3830
BOUNDARY SURVEY
BALTIMORE COUNTY

GLEN HANNAH COURT
(40' R.O.W.)

LINE TABLE:
L1 N 25°50'16" E 140.70' (P)
L2 N 1°56'24" E 99.22' (P)
L3 S 84°17'00" E 20.04' (P)
L4 S 1°56'24" W 84.00' (P)



NOTES:
1. THE PROPERTY SHOWN FEELCH
IS IDENTIFIED AS TAX MAP
#2-2-30001-15663 AMONG THE
ASSESSMENT RECORDS OF
BALTIMORE COUNTY, MARYLAND.

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



www.exactalandsurveyors.com office: 443.896.3504



PROPERTY ADDRESS:
8516 GLEN HANNAH COURT, BALTIMORE, MARYLAND 21244
SURVEY NUMBER: 2411.3830
DATE SIGNED: 12/04/24
FIELD WORK DATE: 11/22/2024
REVISION DATE(S):
(REV 1 12/04/2024)

POINTS OF INTEREST
ASPHALT DRIVEWAY AND BLOCK WALL EXTEND OVER PROPERTY LINE.

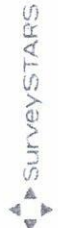
SURVEYOR'S CERTIFICATE

I, KEITH A. STEPHENSON, SURVEYOR, HAVE BEEN DULY SWORN IN AS SUCH BY THE BALTIMORE COUNTY CLERK OF COURTS AND I HAVE BEEN QUALIFIED AS SUCH BY THE BALTIMORE COUNTY BOARD OF PROFESSIONAL SURVEYORS AND I HAVE BEEN ISSUED A LICENSE TO PRACTICE AS A SURVEYOR IN BALTIMORE COUNTY, MARYLAND. I HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE MARYLAND PROFESSIONAL SURVEYORS BOARD OF PROFESSIONAL SURVEYORS AND I HAVE BEEN ISSUED A LICENSE TO PRACTICE AS A SURVEYOR IN BALTIMORE COUNTY, MARYLAND. I HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE MARYLAND PROFESSIONAL SURVEYORS BOARD OF PROFESSIONAL SURVEYORS AND I HAVE BEEN ISSUED A LICENSE TO PRACTICE AS A SURVEYOR IN BALTIMORE COUNTY, MARYLAND.



Keith A. Stephenson
Surveyor, State of Maryland
License No. 371, Exp. 05/28/2026

EXACTA Land Surveyors, LLC
80421937
office: 443.819.3994
4434 Ventum Way, Apt. 1, Aberdeen, MD 21006



CERTIFICATE OF POSTING

ATTENTION: JOHN BRYAN

DATE: 9/5/2025

Waiver Number: UA-2025-0020-FW

Petitioner / Developer: MR. FADIORA

Date of Closing: SEPTEMBER 20, 2025

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
8616 GLEN HANNAH COURT

The sign(s) were posted on: SEPTEMBER 5, 2025

NOTICE

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

Waiver # UA-2025-0020-FW

Wall/Fence location: RIGHT SIDE YARD

Height allowed: 42"

Height requested: 6'

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: September 5, 2025
Address: 8616 GLEN HANNAH COURT

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

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Background Photo @ 8616 Glen Hannah Court ~ 9/5/2025
WAIVER # UA-2025-0020-FW

2nd CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

DATE: 11/9/2025

Case Number: UA-2025-0020-FW

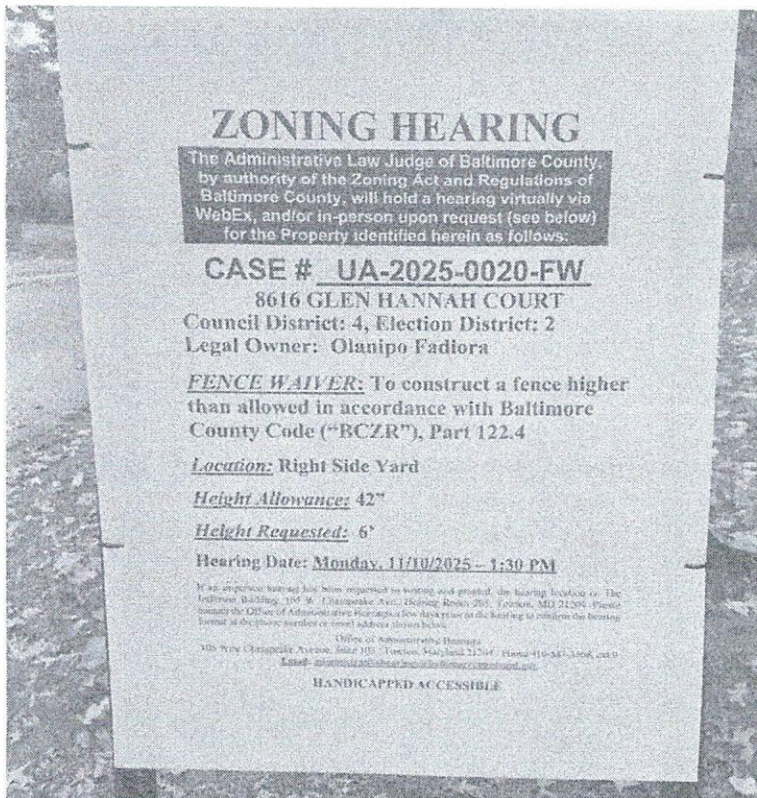
Petitioner / Developer: OLANIPO FADIORA

Date of Hearing: NOVEMBER 10, 2025

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
8616 GLEN HANNAH COURT

The sign(s) were posted on: OCTOBER 19, 2025

The signs(s) were Re-Photographed: NOVEMBER 9, 2025



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

1st SIGN

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-2025-0020-FW

8616 GLEN HANNAH COURT

Council District: 4, Election District: 2

Legal Owner: Olanipo Fadiora

FENCE WAIVER: To construct a fence higher than allowed in accordance with Baltimore County Code ("BCZR"), Part 122.4

Location: Right Side Yard

Height Allowance: 42"

Height Requested: 6'

Hearing Date: Monday, 11/10/2025 – 1:30 PM

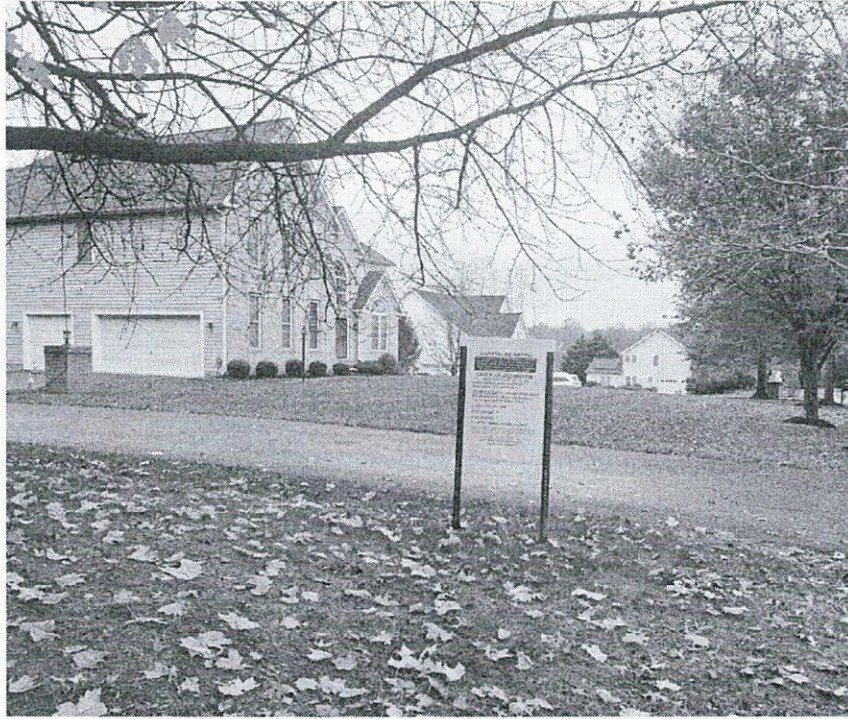
If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-687-3868, ext. 0
Email: administrativehearings@balto.org

HANDICAPPED ACCESSIBLE

Re-Photographed 2nd Sign @ 8616 Glen Hannah Court ~ 11/9/2025

CASE # UA-2025-0020-FW



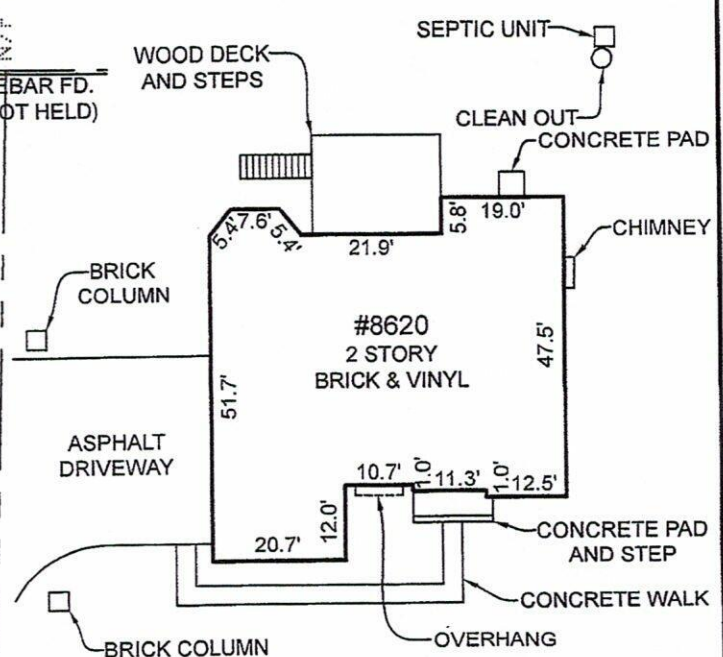
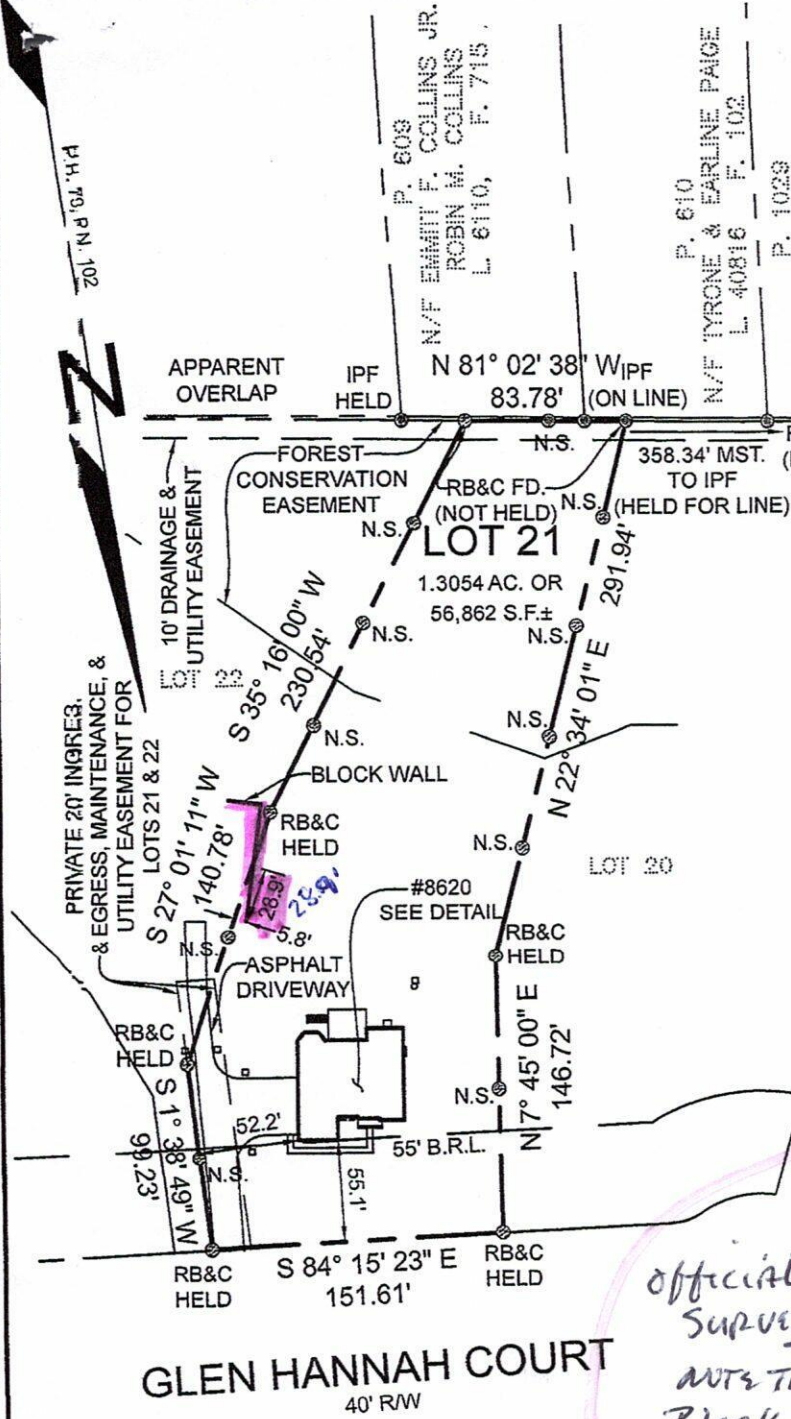
Re-Photographed 1st Sign @ 8616 Glen Hannah Ct. ~ 11/9/2025



Re-Photographed 2nd Sign @ 8616 Glen Hannah Ct. ~ 11/9/2025

CASE # UA-2025-0020-FW

- NOTES:
1. THE +/- SETBACK ACCURACY IS 1 FOOT.
 2. THIS PLAN OR PLAT IS NOT INTENDED TO SHOW ALL MATTERS RELATED TO THE PROPERTY SHOWN HEREON.
 3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
 4. NS = NAIL SET
RB&C = REBAR AND CAP
IPF = IRON PIPE FOUND



HOUSE DETAIL
SCALE: 1"=30'

EXHIBIT C PAGE 1 of 1
UA-2025-0020-FW

official & Legal Survey
note the Block wall on my property

BOUNDARY SURVEY
8620 GLEN HANNAH COURT
LOT 21
TIMBER GLEN
ELECTION DISTRICT NO. 2
BALTIMORE COUNTY, MARYLAND

GLEN HANNAH COURT
40' R/W

THIS LOT DOES NOT APPEAR TO LIE WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON THE F.E.M.A. FLOOD HAZARD MAP 240010-0360-G AS REVISED NOVEMBER 2, 2023.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I AM IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS BOUNDARY SURVEY AND THE SURVEY WORK RESULTED IN FULL COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION .59 OF CHAPTER 37 OF THE PROFESSIONAL AND VOCATIONAL STANDARDS, (TITLE 24 OF THE COMMONWEALTH OF PENNSYLVANIA CODE), AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF IS CORRECT.

[Signature]
MICHAEL D. ADCOCK
PROFESSIONAL LAND SURVEYOR
NO. 2257, EXPIRATION DATE 06-19-2025

Adcock & Associates · LLC

Engineers · Surveyors · Planners
5389 Enterprise Street Suites B-C
Sykesville, Maryland 21784
Phone: 443.325.7682
Email: mike@adcocksurveying.com

REFERENCE:	P.B. 73, P.N. 102
DATE:	JANUARY 14, 2025
SCALE:	1"=100'
FILE NO.:	24-212