

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony and evidence presented was that the subject property is almost 1/4th acre in size and is zoned D.R.5.5. The property is located in the eastern portion of Baltimore County, not far from the intersection of Whitshire Road and Eastern Avenue. Further testimony was that the

As to the variances requested, the first is to allow an 8 ft. wide right of way in lieu of the required 30 ft. This distance relates to the easement which is described above. Moreover, it is, again, worth repeat-

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

IT IS FURTHER ORDERED that a variance from Section 400.1 of the B.C.Z.R. to permit an existing detached garage (accessory structure) in the side yard in lieu of the rear yard, be and is hereby GRANTED, subject,


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Laurence E. Schmidt
Zoning Commissioner

LES:mmn
att.
cc: Mrs. Dolores E. Johnson, 147-1/2 Riverside Road, 21221

Property is to be posted and advertised as prescribed by zoning regulations.

to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Content Prohibited Areas: *Will do extremely thorough and often, under the protection of property. That time are in legal ownership of the property which is the subject of this position.*

Irving D. Johnson by Dolores E. Johnson
his attorney-in-fact

Exhibit A. Subpoena by Walter
his attorney-in-fact

City _____

Signature of Person Making _____
William E. Johnson

147 Riverside Rd. (410) 687-3686

Baltimore, MD 21221

614 Bosley Ave. (410) 828-9441

City _____ Date _____ Agent _____
Address _____ Page No. _____

ESTIMATED LENGTH OF MESSAGE _____

 The following data _____

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 1-10-98 BY JCM

74-276-A

ZONING DESCRIPTION

Beginning for the same at a point at the end of the third line of Deed Liber 1299, Folio 314 said point being as now surveyed S 03 29'55"E 130.37' from the center line of Riverside Road at a distance of 1543.74 feet measured westerly from the intersection of the center line of Riverside Road with the West side of Mace Avenue. Thence the following courses and distance:

S 03 29'55"E 120.53', S 86 30'05"W 89.10', N 03 29'55"W 121.72', 91.70' along a curve to the left with a radius of 537.12' to the place of beginning. Being known as 147 1/2 Riverside Road.

Together with the use in common of the following two Right-of-Ways. Beginning for the first at a point in the third line of the above described parcel at a distance of 80.91' from the beginning of said third line. Thence the following courses and distances:

S 86 31'05"W 8.00', N 03 29'55"W 43.52', 8.45' along a curve to the left with a radius of 537.12', S 03 29'55"E 42.81' to the place of beginning as recorded in Deed Liber 1426, Folio 469.

Beginning for the second in the center line of Riverside Road at a distance of 1637.74' from the intersection of the center line of Riverside Road with the West side of Mace Avenue. Thence the following courses and distances:

S 03 29'55"E 131.24', 8.46' along a curve to the right with a radius of 537.12', N 03 29'55"W 131.37', 8.50' along a curve to the left with a radius of 510.00' to the place of beginning as recorded in Deed Liber 1353, Folio 175.



CERTIFICATE OF POSTING

BALTIMORE COUNTY
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

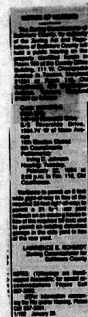
Duration: 1/27/94 Date of Posting: 1/28/94
Posted for: Irving Johnson
Location: 147 1/2 Riverside Rd., Balto., Md. 21204
Location of Sign: Along road, on property being posted
Number of Signs: 7



CERTIFICATE OF PUBLICATION

TOWSON, MD. 1/28 1994
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/28 1994.

THE JEFFERSONIAN
A. Henikson
LEGAL AD. - TOWSON



276 receipt
CRITICAL
1-5-74
IRVING JOHNSON BY DALOROS JOHNSON
147 1/2 RIVERSIDE RD.
UAF. (0.10) 50.00
POSTING (0.80) 35.00
85.00

604282031 DETCHURY
CASH/11/1/901 155.94
165.00

111 West Chesapeake Avenue
Towson, MD 21204

(410) 867-3353

ZONING HEARING, ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public in advance of any zoning action relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for input advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl Johnson
ARWILL JARLES, DIRECTOR

Item No.: 276

Petitioner: IRVING JOHNSON
Location: 147 1/2 RIVERSIDE RD., BALTO., MD. 21204

PLACED FORWARD ADVERTISING: BILL TO:

NAME: SAME

ADDRESS: SAME

PHONE NUMBER: 687-3686

Adoption: 687-3686

(Revised 04/09/93)

Item Number: 276
Planter: 1/28/94
Date Filed: 1/28/94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the agenda by Sophia. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commission's review of the petition regarding the items noted below. If Zoning Commission/attorney is contacted by the planner, it is the petitioner's/attorney's decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

- The following information is missing:
- ☒ Descriptions, including accurate beginning point
 - ☐ Actual address of property
 - ☐ Zoning
 - ☐ Acreage
 - ☐ Plans (need 12, only submitted)
 - ☐ 200 scale zoning map with property outlined
 - ☐ Election district
 - ☐ Councilmanic district
 - ☐ BCDN section information and/or wording
 - ☐ Handwritten/practical difficulty information
 - ☐ Owner's signature (need minimum 3 original signatures) and/or printed name and/or address and/or telephone number
 - ☐ Contract purchaser's signature (need minimum 3 original signatures) and/or printed name and/or address and/or telephone number
 - ☐ Signature (need minimum 3 original signatures) and/or printed name and/or title of person signing for legal owner/contract purchaser
 - ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 - ☒ Attorney's signature (need minimum 3 original signatures) and/or printed name and/or address and/or telephone number
 - ☒ Notary Public's signature is incomplete and/or incorrect and/or completion has expired
 - ☒ Not Marked "Critical"

TO: PETITION PUBLISHING COMPANY
JANUARY 20, 1994 Issue - Jeffersonian
Please forward billing to:
Irving Johnson
147-1/2 Riverside Road
Baltimore, Maryland 21204
687-3686

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on:

Room 119, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-276-A (Item 276)

147-1/2 Riverside Road

512 Riverside Drive, 1334.74' W of New Avenue

15th Election District - 5th Councilmanic

Petitioner(s): Irving S. Johnson

HEARING: THUR. FEB. 22, 1994 at 2:00 p.m. Rm. 119, Old Courthouse.

Variances to permit an 8 foot wide right-of-way in line of the required 30 foot right-of-way to permit a 21 foot over yard setback on an existing house in line of the required 30 feet; and to permit an existing detached garage in the side yard in line of the rear yard.

LAWRENCE E. SORRETT
LEGAL COUNSEL FOR BALTIMORE COUNTY

NOTES: (1) HEARING ROOM & POST NOTICE BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARING ROOM & POST NOTICE BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE OFFICE OF RM. 106.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
JANUARY 14, 1994

(410) 867-3353

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Carl Johnson
Arnold Johnson
Director

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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

February 15, 1994

(410) 867-3353

Edward C. Covache, Jr., Esquire
614 Bayley Avenue
Towson, Maryland 21204

RE: Case No. 94-276-A, Item No. 276
Petitioner: Irving S. Johnson, et al.
Petition for Variance

Dear Mr. Covache:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e., zoning commission, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 10, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petition filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



O. James Lightner
Secretary
Hal Karsoff
Administrator

1-20-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 276 (J276)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for *DAVID M. PATTERSON, ACTING CHIEF*
John Conover, Chief
Engineering Access Permits
Division

MS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2758 (Toll Free)
Hearing Impaired: P.O. Box 177, Baltimore, MD 21203-0177
Voice: 410-333-1350
Voice: 410-333-1350

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 20, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee



The Office of Planning and Zoning has no comment on the following petition(s):

Item No. 262, 264, 265, 266, 267, 268, 270, 273, 274, 275 and 276

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 807-3400.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Lewis*

PE/JLL/w

ENC. 262/PZ006/2621

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

January 25, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: J. Lawrence Wilson, DEP
Development Coordinator, DEP
SUBJECT: Zoning Item #276 - Johnson Property
147 J. Riverside Road
Zoning Advisory Committee Meeting of January 18, 1994

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Section at 807-2900 for details.

JLP:MP:15
JOHNSON/01/29/76/15P

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
DATE: January 24, 1994
Zoning Administration and Development Management

FROM: Robert W. Swelling, Chief
Development Engineering Section

RE: Zoning Advisory Committee Meeting
for January 24, 1994
Item No. 276

The Development Engineering Section has reviewed the subject of the above. This site is subject to Baltimore County Development Regulations for parks and recreation. A minimum of 10 feet per lot width of 50 feet is required.

Robert W. Swelling
Robert W. Swelling, Chief
Development Engineering Section

END

Baltimore County Government
Fire Department

701 East Johns Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/30/94

TO: Mr. Johnson
FROM: Mr. Johnson
SUBJECT: Zoning Item #276 - Johnson Property
147 J. Riverside Road

RE: Property Owner: SEE BELOW

ATTENTION: Zoning Agent

Personnel: In response to your request, the referenced property has been surveyed and the results and the comments below are applicable and required to be incorporated into the final plans for the property. The Fire Prevention Bureau has no comments at this time, ON THE BASIS OF THE INFORMATION PROVIDED. 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, AND 276.



REVIEWED BY: ROBERT P. SHAVERMILL
Fire Prevention, PHONE 887-4801, RS-1100F
C. P. File

Living Johnson 94-276-A
acquired 1958
beginning existing situation
actual access is off of alley
Bob's own 147 x 147 1/2
Johnson owned entire tract
2 structures
both totally occupied
various
- 21 foot setback
- 8' foot easement on line
76-766 (see map)
- Block with storage

8' easement very reserved
for along line
No subdivisions
- daughter lives at 147 1/2
she has there since 1958
2 lots - instead of 1 lot
of 2 houses

PLEASE PRINT CLEARLY

ATTENTION: SIGN-IN SHEET

LEONIE T. HASTINGS
THOMAS R. DINE
WILLIAM E. JOHNSON
Living Johnson

41 Eastship Rd 21272
614 Oakley Ave Tr-20 21204
147 Riverside Rd
7205 Woodstock Ave

Printed with Recycled Ink
on Recycled Paper

ROW HOUSE GROUP

[illegible]

8. To organize, alone or with others, corporations, limited or general partnerships, joint ventures, land trusts and other business or property holding organizations under the laws of any jurisdiction; to transfer to any such organizations any

JOB NO. 705

ROAD

(50. R/W)

PRISONER'S
EXHIBIT No 1

276

1. OWNER IRVING D. JOHNSON, AND DOLORES E. JOHNSON.
2. PROPERTY ZONED D R 5 S.
3. AREA OF PROPERTY: 6782 473 SQ. FT.
4. ELFTION DISTRICT : 15 1A
5. COUNCILMANIC DISTRICT : 5 1A
6. NO PRIOR ZONING HEARINGS
7. LOT NO. 30 & PART OF 31. 32.
BLOCK 4
PLAT OF BACK RIVER HIGHLANDS
PLAT BOOK NO. 4
PAGE NO. 65
8. PROPERTY HAS ACCESS TO PUBLIC WATER AND SEWER
9. THE PROPERTY IS SITUATED WITHIN THE CRITICAL BAY AREA AND IS CLASSIFIED AS AN INTERMEDIATE DEVELOPMENT AREA (I. D. A.).
10. SEEKING VARIANCE OF SECTION 102.4 OF B C Z R FOR AN EXISTING 8' WIDE RIGHT-OF-WAY INSTEAD OF THE REQUIRED 30'.
11. SEEKING VARIANCE OF SECTION 1802.3 SUBPARAGRAPH (C) OF THE REAR YARD SET BACK ON EXISTING HOUSE INSTEAD OF THE REQUIRED 30'.
12. SEEKING VARIANCE OF SECTION 400.1 OF B C Z R FOR AN EXISTING DETACHED GARAGE ON THE SIDE YARD.

94-276-A

REVISONS			
NO.	DATE	DESCRIPTION	CHK.
1	12/16/93	CHANGE NOTES	

SITE PLANS FOR ZONING DEPT.
OF
147 1/2 RIVERSIDE ROAD

HASTINGS SURVEYING
41 EASTSHIP ROAD
BALTIMORE, MD. 21222
(410) 288-5663

SCALE 1"=30'	DATE 12/1/93
--------------	--------------

RFG. 505

SCALE 1"=30' DATE 12/1/93