IN RE: PETITION FOR ADMIN. VARIANCE E/S Troyer Road, 1000' S centerline McComas Road 10th Election District 6th Councilmanic District (17441 Troyer Road) Woodrow W. Johnson Petitioner	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 00-492-A

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Woodrow W. Johnson. The variance request is for property located at 17441 Troyer Road in the Monkton area of Baltimore County. The Petitioner herein seeks a variance from Sections 400.1 (101 definitions) and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be larger than the dwelling and with a height of 35 ft. (lowest grade to peak) in lieu of the required smaller than the dwelling and 15 ft. respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

ORDER RECEIVED FOR FILING
Date 6/28/00
By JP Amendola

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of June, 2000, that a variance from Sections 400.1 (101 definitions) and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be larger than the dwelling and with a height of 35 ft. (lowest grade to peak) in lieu of the required smaller than the dwelling and 15 ft. respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioners or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. In addition, the accessory structure should not be used for commercial purposes.

3) Landscaping should be provided along the southern side of the proposed structure. A landscaping plan should be submitted to the Office of Planning for review and approval prior to the issuance of any building permit.

4) When applying for a building permit, the site plan/landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ENTERED FOR FILING
Date 6/28/00
By T.M. Kotroco

Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 28, 2000

Mr. Woodrow W. Johnson
17441 Troyer Road
Monkton, Maryland 21111

Re: Petition for Administrative Variance
Case No. 00-492-A
Property: 17441 Troyer Road

Dear Mr. Johnson:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Courtney D. Johnson
40 Bloomingdale Avenue
Catonsville, MD 21228

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 17441 Troyer Road, Monkton, MD 21111

which is presently zoned RC-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1, (101 definitions), 400.3

To allow an accessory structure (detached garage) to be larger then the dwelling and with a height of 35 ft. (lowest grade to peak) in lieu of the required smaller then the dwelling and 15 ft. respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Woodrow W. Johnson
Name - Type or Print

X Woodrow W. Johnson
Signature

Name - Type or Print

Signature

17441 Troyer Road 410-771-4028
Address Telephone No.

Monkton, MD 21111
City State Zip Code

Representative to be Contacted:

Courtney D. Johnson
Name

40 Bloomingdale Ave 410-747-6377 (Home) 240-857-4249 (Work)
Address Telephone No.

Catonsville MD 21228
City State Zip Code

ORDER RECEIVED FOR FILING
Date 5/22/00
By Courtney D. Johnson

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-492-A **Reviewed By** _____ **Date** 5-22-00

Estimated Posting Date 6-4-00

REV 9/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 17441 Troyer Road
Address
Monkton, MD 21111
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. Proposed structure is to be used to house 4 antique vehicles, 1 antique tractor, farm & grass cutting implements, and antique spare parts.

2. Size of building is necessary to house items mentioned in item 1 above.

3. Height variance is required for inclusion of second floor for tool and parts storage.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

× Woodrow W. Johnson
Signature

Woodrow W. Johnson
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of May, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Woodrow W. Johnson

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

5/15/00
Date

Notary Public Grace B. Smith

My Commission Expires 12/1/2000

REV 09/15/98

ZONING DESCRIPTION
for
17441 Troyer Road, Monkton, MD 21111

BEGINNING at a point on the East side of Troyer Road which is 40 feet wide at the distance of 1000 feet South of the centerline of the nearest improved intersecting street McComas Road which is 30 feet wide. Being Lot #P.25, as recorded in Deed Liber G.L.B. # 11910, Folio # 043 (reference same as previous Deed Liber G.L.B. # 2091, Folio # 467), containing 1.02 acres. Also known as 17441 Troyer Road and located in the 10th Election District.

Plat Measurements and Directions (metes and bounds)

BEGINNING for the same at a point two perches from the beginning of first or South 4.5 degrees West 16 9/25 perches line of that tract of land which by deed dated March 10, 1934 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. 926, folio 117, was conveyed by Dorothea Schmidt to Noah Taylor and Josephine Caroline Taylor, thence running with and binding on said line South 4.5 degrees, West 14 9/25 perches to the end thereof, being also the end of the fifth or South 80.5 degrees West 60 perches line of that tract of ground which by deed dated May 11, 1932 and recorded among the Land Records of Baltimore County in Liber L.McL.M. 895, folio 520 was conveyed by J. Myers Pearce, et al to Raymond Johnson and Mamie N. Johnson, thence running with and binding on said line reversely North 80.5 degrees East 12 perches; thence parallel to the first line of this description North 4.5 degrees East 13 perches; thence by a straight line to the point of beginning.

BEING the same lot of ground described in a deed dated March 31, 1952 from **Noah Taylor** and **Josephine Caroline Taylor**, his wife, to **Woodrow W. Johnson** and **Corinne D. Johnson**, and recorded among the Land Records of Baltimore County in Liber G.L.B. #2091, folio 467, the said **Corinne D. Johnson**, having departed this life on or about the 28th day of September, 1984, thereby vesting fee simple title in **Woodrow W. Johnson.**

492

00-492-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 080830

DATE 5-22-00 ACCOUNT R-001-6150

AMOUNT $ 50.00

RECEIVED FROM: Courtney D. Johnson

FOR: Residential Variance filing fee
@ 12441 Troyer Rd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

PAYMENT	ACTUAL	TIME
5/23/2000	5/22/2000	15:30:29

REG WS06 CASHIER MSTE MES DRAWER 5
Dept 5 529 ZONING VERIFICATION
Receipt # 000560 CHLN
CR NO. 080830

Rcpt Tot 50.00
50.00 CK .00 CA
Baltimore County, Maryland

CERTIFICATE OF POSTING

ADMIN.

RE: Case No.: 00-492-A

Petitioner/Developer: W.W. JOHNSON, ETAL

Date of Hearing/Closing: 6/19/00

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #17441 TROYER RD.

The sign(s) were posted on 6/3/00
(Month, Day, Year)

Sincerely,

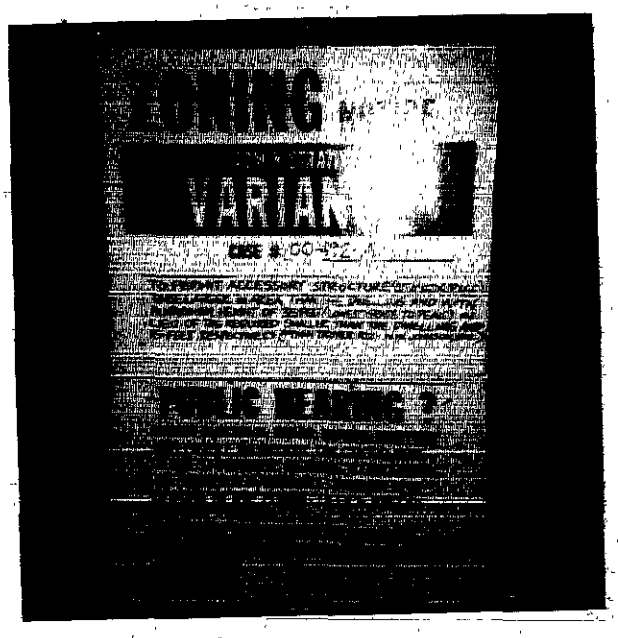
6/6/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



00-492-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00-[492]-A Address 17441 TROYER Rd.

Contact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-22-00 **Posting Date:** 6-4-00 **Closing Date:** 6-19-00

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00-[492]-A Address 17441 TROYER RD.

Petitioner's Name Woodrow A. Johnson Telephone (410) 771-4028

Posting Date: 6-4-00 **Closing Date:** 6-19-00

Wording for Sign: To Permit An accessory structure (detached garage) to be larger in area than the dwelling (maximum height from lowest grade to peak) with a height of 35 ft. in lieu of the required smaller than the dwelling and 15 ft respectively.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal 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.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

~~Item No.~~ Case No.: 00-492-A

Petitioner: Woodrow W. Johnson

Location: 17441 Troyer Rd. (21111) Monkton, MD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Courtney D. Johnson

ADDRESS: 40 Bloomingdale Ave
Catonsville, MD 21228

PHONE NUMBER: 410-747-6377

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 14, 2000

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 12, 2000
Item Nos. 489, 490, 491, 492, 493, 494, 495, 497, 498, 499, 500, and 502

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC-6-12-2000-NO COMMENT ITEMS.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: July 17, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of June 5, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
489	1100 Sparks Road
491	3510 Loganview Drive
492	17441 Troyer Road
493	10 Marks Manor Court
494	1424 Armacost Road
495	1306 Old Eastern Avenue
496	610 Old North Point Boulevard
497	7373 Edsworth Road
498	7206 Denberg Road
499	230 Pidco Road
500	1009 Malvern Avenue
501	2205-2207 Frederick Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: June 8, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

JUN - 8

SUBJECT: Zoning Advisory Petitions - **Case 492**

The Office of Planning supports the applicant's request subject to the following conditions:

1. The petitioner or subsequent owners shall not allow or cause the accessory structure to be converted to a second dwelling unit or apartment;
2. The structure shall contain no sleeping quarters, living, kitchen or bathroom facilities; and,
3. The accessory structure should not be used for commercial purposes.
4. Landscaping should be provided along the southern side of the proposed structure. A landscaping plan should be submitted to the Office of Planning for review and approval prior to the issuance of any building permits.

Should there be any further questions, or if this office can provide any additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark

Section Chief: Jeffrey W Long

AFK/JL: MAC

ORDER RECEIVED FOR FILING
Date 6/28/00
By

A:\492.doc

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 6.8.00

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 492 JJS

Dear. Ms. Jackson:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

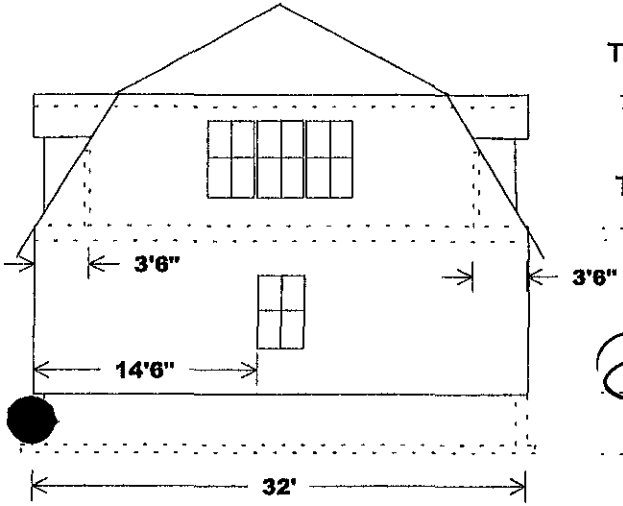
for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

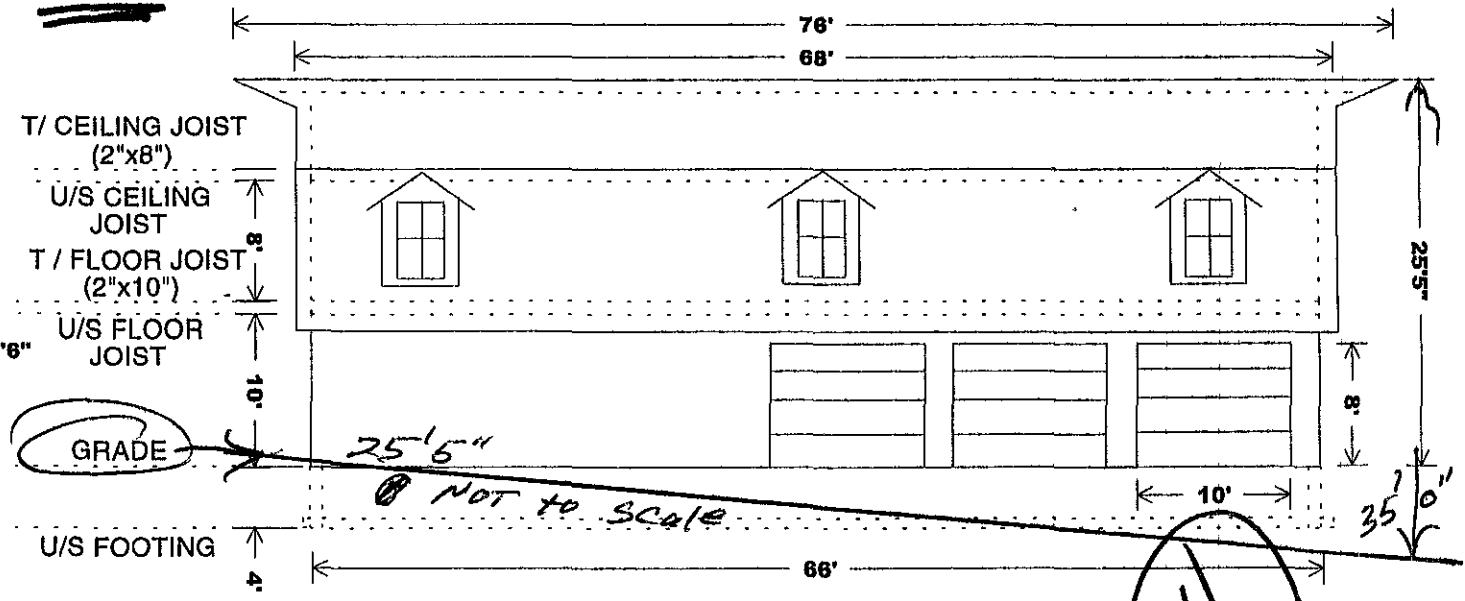
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

#492 Keep in ZA's File

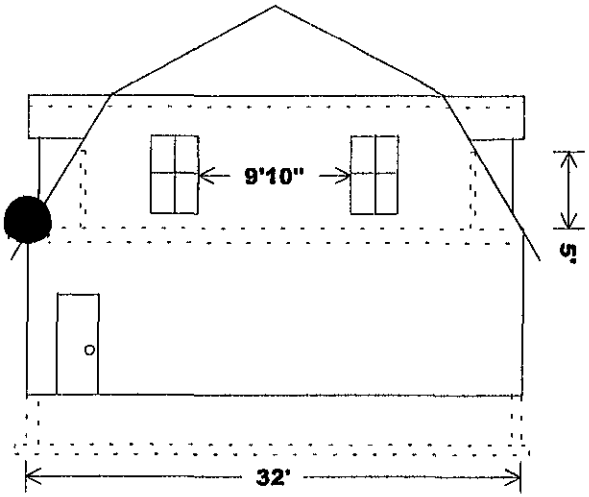


RIGHT SIDE ELEVATION

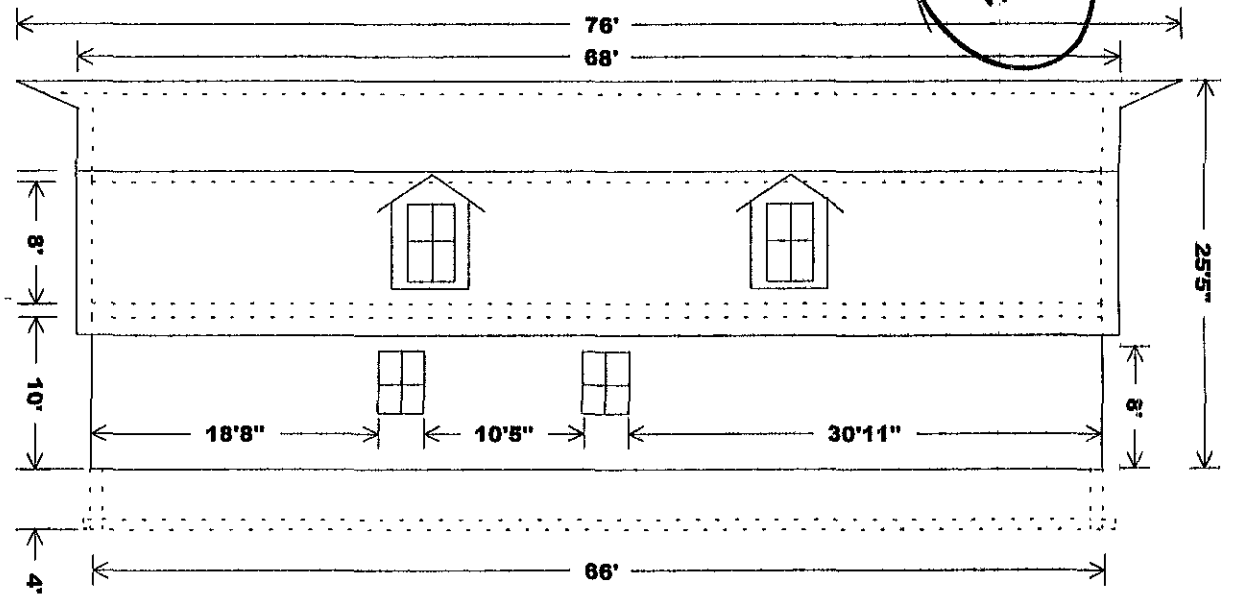


FRONT ELEVATION

#492



LEFT SIDE ELEVATION



elevatn9.fp3

REAR ELEVATION

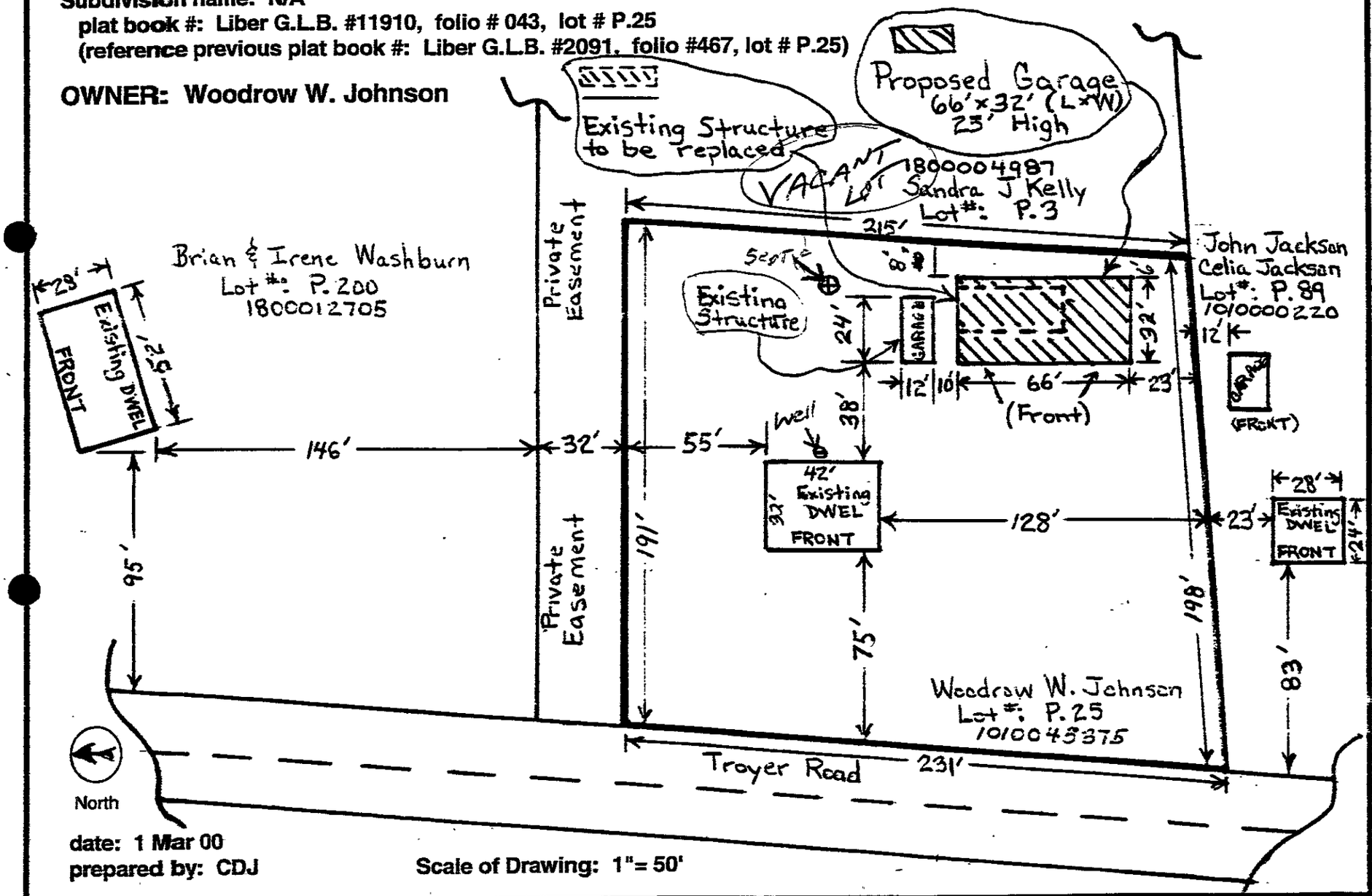
00-492-A

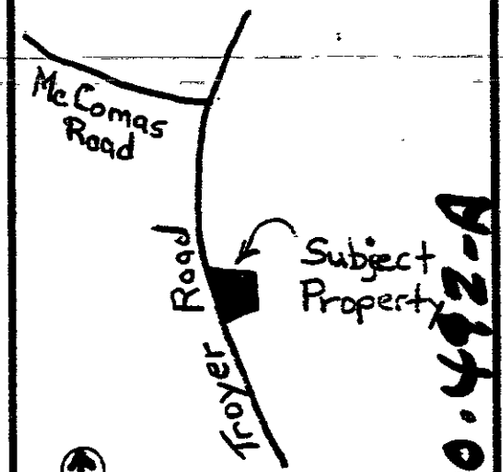
Plat to accompany Petition for Zoning [X] Variance [ ] Special Hearing

⊖ - Well water
⊕ - Septic

PROPERTY ADDRESS: 17441 Troyer Road, Monkton, MD. 21111
Subdivision name: N/A
plat book #: Liber G.L.B. #11910, folio # 043, lot # P.25
(reference previous plat book #: Liber G.L.B. #2091, folio #467, lot # P.25)

OWNER: Woodrow W. Johnson





00.492-A

LOCATION INFORMATION

Councilmanic District: 6

Election District: 10th

1"= 200' scale map #: NE 28-B

Zoning: RC-2

Lot Size: 1.02 acres

	public	private
SEWER:	[ ]	[X]
WATER:	[ ]	[X]

Chesapeake Bay Critical Area: yes [ ] no [X]

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE #:
	492	

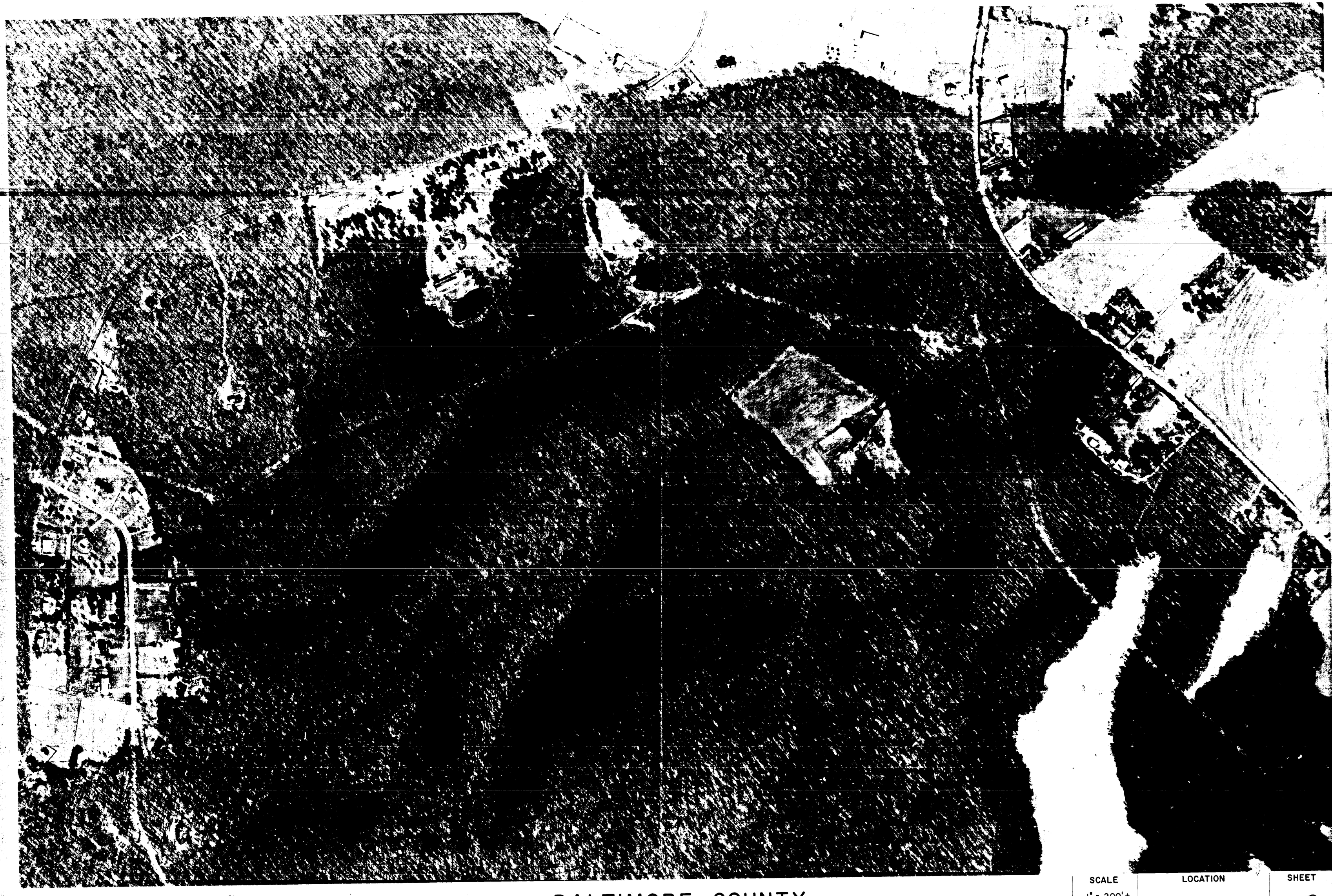
Plat. Ex. #1

date: 1 Mar 00
prepared by: CDJ

Scale of Drawing: 1"= 50'

00-492-A

00.492-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

00-492-A

SCALE	LOCATION	SHEET
1" = 200'±	SOUTH OF TROYER	N. E. 28-B
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

492

(SHEET N.E 29-B)

N112,000 E6,000 E 618,000 E7,500 E9,000 E10,500 E12,000 E 620,000 N112,000

N 645,000 W 645,000

R.C. 4 R.C. 4 R.C. 2 R.C. 2 R.C. 2

R.D.

SITE

N111,000

BLUE MOUNT RD. CHAPEL

WESLEY WOODS

R.C. 4 R.C. 2 R.C. 2

PRIVATE RD.

WESLEY

138 TROYER

PRIVATE PVT. RD.

R.C. 2

MY LADY'S MANOR
NRHD

R.C. 2

N110,000

(SHEET N.E 28-A)

FOX HILL FARM RD.

R.C. 2 R.C. 2

PRIVATE

N109,000

WHITELY

N 642,000 N 642,000

R.C. 2 R.C. 2 R.C. 2 R.C. 2

N108,000 E 615,000 E7,500 E9,000 E10,500 E 620,000 E12,000 N108,000

(SHEET N.E 27-B)

(SHEET N.E 28-C)

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenetz
Chairman, County Council

MAP HAS BEEN REVISED IN SELECTED AREAS.
GRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
CHART-HORN, INC. BALTIMORE, MD. 21210

II-SW
I-NW

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SOUTH OF TROYER	N.E. 28-B
DATE OF PHOTOGRAPHY JANUARY 1986		

00-492-A

#492