

IN RE: PETITION FOR SPECIAL HEARING
NW/S Timber Trail Road, approx. 800' E
Midmeadow Road
(1010 Timber Trail Road)
9th Election District
3rd Council District

Charles W. Johnson
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-576-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Charles W. Johnson. The Petitioner requests a special hearing to approve the location of a detached accessory structure (garage) on a lot without a principal structure. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Charles W. Johnson, property owner. Christine Bird, an adjacent property owner, appeared in opposition.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the northwest side of Timber Trail Road, just south of Midmeadow Road, in the Hampton Gardens community in Towson. The property is comprised of four lots, identified as Lots 8, 9, 10 and 11 of Hampton Gardens, which contain a combined gross area of 2.21 acres, zoned D.R.2. Although recorded as four separate lots, the property is used as one parcel and is improved with a single-family dwelling, known as 1010 Timber Trail Way. As shown on the site plan submitted, that dwelling straddles the internal lot lines between Lots 8 and 9. The Petitioner has owned and resided on the property since 1973.

In November 2003, the Petitioner sought zoning relief through a Petition for Administrative Variance filed under Case No. 04-197-A. In this regard, the Petitioner sought relief

ORDER RECEIVED FOR FILING

Date

By

to allow a proposed garage, 30' x 70' in dimension, to be located in the front/side yard of the property in lieu of the required rear yard, and with a height of 20 feet in lieu of the maximum allowed 15 feet. At that time, the garage was to be located on Lot 9. Since the dwelling straddles the lot lines between Lots 8 and 9, the garage would be located on the same lot as a portion of the dwelling. Pursuant to the administrative variance process, the property was posted with a sign for a period of 15 days, during which time any interested person or adjacent property owner could submit written comments on the proposal, and/or request a public hearing. There were no objections raised at that time and there was no request for public hearing. Additionally, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any reviewing agency. Thus, variance relief was granted on November 20, 2003. No appeal of that decision was taken and thus the relief granted in that case is now final.

The Petitioner now comes before me seeking amended relief. In this regard, the Petitioner now proposes to construct the garage on Lot 10. As shown on the site plan, the newly proposed garage will be 30' x 50' in dimension, with a height of 16 feet. Mr. Johnson indicated that the garage was necessary to provide storage space for two antique cars, a recreational vehicle and boat, and other personal items. In that the garage will not be located on the same lot as the dwelling, the requested special hearing relief is necessary.

The Petitioner submitted a series of documents in support of his request. These documents show that a new driveway is proposed to provide access to the garage. Currently, there are two curb cuts along the property's frontage on Timber Trail Road. These curb cuts connect to a lengthy circular driveway that extends around the rear of the house and provides two points of access along Timber Trail Road. Mr. Johnson indicated that due to the topography of his property and drainage conditions thereon, the proposed location for the garage was preferable. He also indicated that the garage would be set back a minimum of 70 feet from the front property line and would therefore be buffered by existing vegetation.

As noted above, Ms. Bird appeared in opposition to the request. She believes that the proposed garage is too large and out of character with the surrounding community. She also

objects to a third curb cut and driveway on the property. The positions of the parties are set forth in the record of the hearing. Additionally, it is to be noted that several days after the hearing, Mr. Johnson called the Office of the Zoning Commissioner to determine if a written decision had been made and was advised that the matter was still under consideration. He became verbally abusive and demanded immediate issuance of a decision. This decision follows.

Based upon the testimony and evidence presented, I am not persuaded that relief should be granted. Although I am appreciative of the Petitioner's need for storage, I am not persuaded that the proposed location is appropriate. In my judgment, an additional curb cut should be avoided, if possible. Additionally, the garage should be located further towards the rear of the property and closer to the existing dwelling. Under this latest proposal, the garage will be much closer to the road than the existing dwelling and I am concerned that it may appear out of character for this residential neighborhood. Thus, for all of these reasons, the Petition shall be denied.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of September 2004 that the Petition for Special Hearing to approve the location of a detached accessory structure (garage) on a lot without a principal structure, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By

IN THE MATTER OF
THE APPLICATION OF
C. WILLIAM JOHNSON - LEGAL OWNER
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE NW/S OF TIMBER TRAIL
ROAD, APPROXIMATELY 800' E OF
MIDMEADOW ROAD
(1010 TIMBER TRAIL ROAD)
9TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 04-576-SPH

* * * * *

OPINION

This matter comes before the Baltimore County Board of Appeals on an appeal from a decision of the Zoning Commissioner for Baltimore County in which Petitioner's requested zoning relief was denied. Charles William Johnson, Petitioner and legal owner of the subject property, filed a Petition for Special Hearing to approve the location of a detached accessory structure (garage) on a lot without a principal structure.

A hearing was held before this Board on April 26, 2005. Public deliberation was held on May 11, 2005. Appearing before the Board in support of his Petition was Charles W. Johnson. Christine Bird, an adjacent property owner, appeared in opposition. Both Mr. Johnson and Ms. Bird appeared *pro se*.

Testimony and evidence offered at hearing revealed that the property is located on the northwest side of Timber Trail Road, just south of Midmeadow Road, in the Hampton Gardens community of Towson. This property is made up of four lots (Lots 8, 9, 10 and 11). Together they have a combined gross area of 2.21 acres. These four lots are deeded together (Petitioner's Exhibit #2), and the property is used as one parcel and is improved with a single-family dwelling known as 1010 Timber Trail Road. The Petitioner was the developer of the property in years 1974 and 1975. The Johnson home actually straddles the common lot line of Lots 8 and 9. Mr.

Johnson has a front setback of 137 feet on a heavily wooded parcel. The home is barely visible from the front street.

Mr. Johnson testified that he plans to build a detached garage 30 feet by 50 feet by 16 feet on Lot 10. Petitioner stated that he needed the garage to store antique cars, an R.V., and boats that are "getting fouled up" by leaf litter from the wooded parcel on which he lives. He further testified that he believed Lot 10 was most suitable for this building due to the topography of his property.

Testifying in opposition to the Petition was Christine Bird. Mrs. Bird stated that, because she lives directly across the road from the Petitioner, she is concerned that the garage is too large and out of character with the neighborhood. Also, she testified that she is concerned about the new view with an apron (curb cut) and the cutting of all the vegetation.

Petitioner testified during the hearing that he believed he could make the garage driveway connect to the existing driveway, thereby doing away with the third curb cut. He stated that the garage would be set back 70 feet, and he only planned to cut down enough trees to put in the garage and driveway. He indicated that the plans for the garage somewhat mirror the house, therefore keeping it in character with the neighborhood.

Based upon the testimony and evidence presented, this Board finds that the requested relief should be granted. We believe that the 70 feet will give enough buffer for the neighbors, and, based upon the evidence submitted at hearing, that the garage will be in keeping with the spirit and intent of the zoning regulations and in character with the neighborhood. Although we feel strongly about not adding another curb cut to the parcel, which is made up of Lots 8, 9, 10 and 11, we would suggest to Mr. Johnson that he consult with an engineer due to the topography of the property.

ORDER

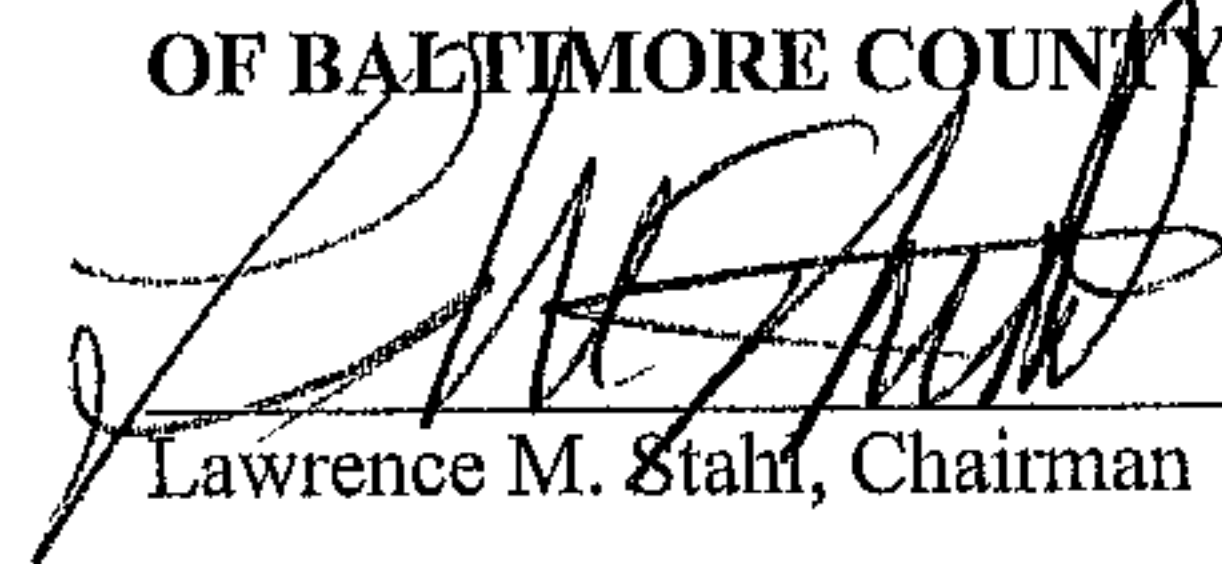
THEREFORE, IT IS THIS 7th day of July, 2005 by the
County Board of Appeals of Baltimore County

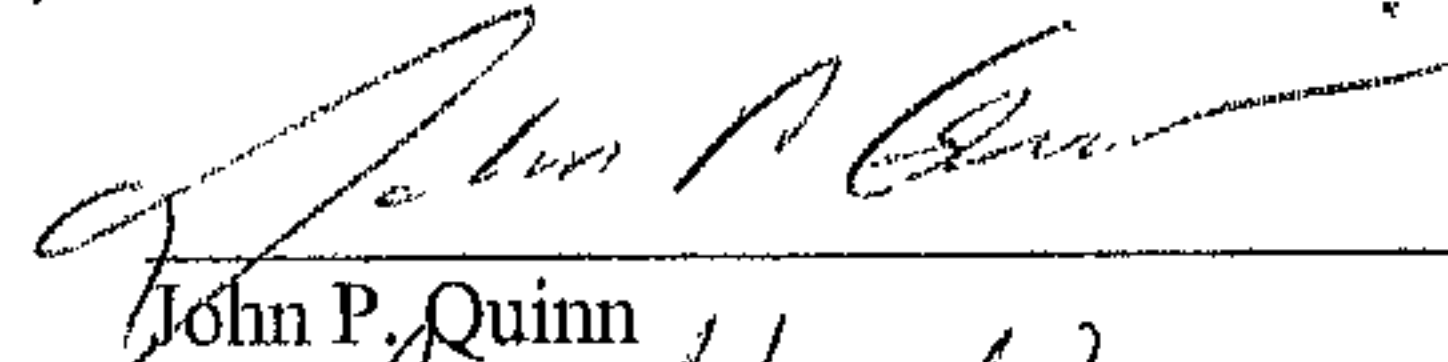
ORDERED that the Petition for Special Hearing filed in Case No. 04-576-SPH to approve
the location of a detached accessory structure (garage) on a lot without a principal structure be and
the same **APPROVED** as shown on Petitioner's Exhibit #1 entered at the Zoning Commissioner's
level and contained in the subject file, subject to the following restriction:

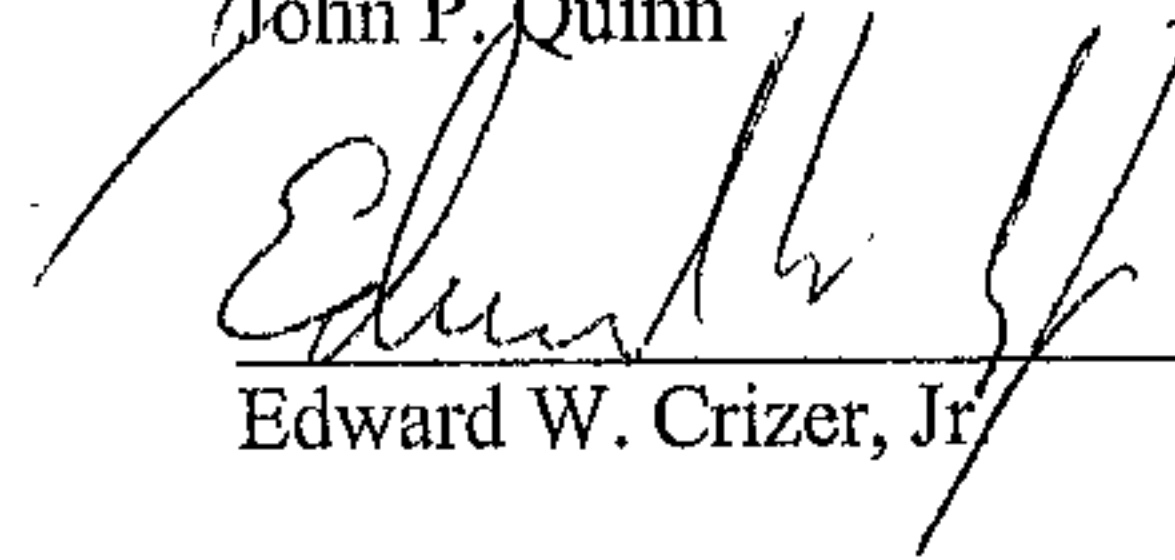
That there shall be no third curb cut on the parcel known as 1010 Timber Trail
Road that is made up of Lots 8, 9, 10 and 11.

Any petition for judicial review from this decision must be made in accordance with Rule 7-
201 through Rule 7-210 of the *Maryland Rules*.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence M. Stahl, Chairman


John P. Quinn


Edward W. Crizer, Jr.

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

September 1, 2004

Mr. Charles W. Johnson
1010 Timber Trail Road
Towson, Maryland 21286

RE: PETITION FOR VARIANCE
NW/S Timber Trail Road, approx. 800' E of the c/l Midmeadow Road
(1010 Timber Trail Road)
9th Election District – 3rd Council District
Charles W. Johnson - Petitioner
Case No. 04-576-SPH

Dear Mr. Johnson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Christine Bird
1021 Timber Trail Road, Towson, Md. 21286
People's Counsel; Case/File

Visit the County's Website at www.baltimorecountyonline.info



BOARD OF APPEALS OF BALTIMORE COUNTY

FILE COPY

MINUTES OF DELIBERATION

IN THE MATTER OF: C. William Johnson
04-576-SPH

DATE : May 11, 2005

BOARD/PANEL Lawrence Stahl
John P. Quinn
Edward W. Crizer, Jr.

RECORDED BY: Linda B. Fliegel/Legal Secretary

PURPOSE: To deliberate Petitioner's request for approval of a detached accessory structure (garage) on a lot without a principal structure.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

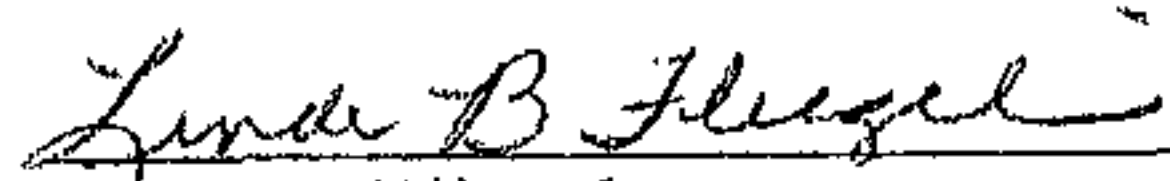
- Property was purchased in 1973.
- Three lots are placed on same Deed.
- Current house straddles lots 8 and 9.
- Petitioner would like to build a garage on lot 10.
- Lots are very narrow and builder had to sell as one.
- Lots needed to be used in conjunction with each other.
- There are currently two curb cuts and the new plan calls for three.
- The proposed garage does not violate the nature and spirit of the area.

DECISION BY BOARD MEMBERS: The Board reached a unanimous decision to GRANT the request for a variance.

FINAL DECISION: After a deliberation and review of the facts and law, the Board GRANTED the Petitioner's variance with the restriction that a third entrance could not be made and that the Petitioner would have to make a connection to the garage from what already exists on the other two lots.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place that date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted


Linda B. Fliegel
County Board of Appeals

SPH -- To approve location of detached accessory structure (garage) on a lot without a principal structure.

9/02/04 -- Z.C.'s Order in which requested zoning relief was DENIED.

2/10/05 -- Notice of Assignment sent to following; assigned for hearing on Tuesday, April 26, 2005 at 10:00 a.m.:

C. William Johnson
Christine Bird
Office of People's Counsel
William J. Wiseman /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

4/22/05 -- T/C from Michael Ramsey - he will be in court on Tuesday, April 26th and unable to sit on the scheduled hearing. Will contact Brassil, Stahl, and M. Mohler re replacement for Ramsey.

- Voice mail message left for Brassil and M. Mohler; also e-mail to both. Cell phone voice mail left for L. Stahl (first called his office; away until Tuesday; however, nothing showing on calendar).
- After responses received from three panel members, will contact parties. Both parties to this matter are *pro se*. (J. Quinn telephone this date -- possible afternoon conflict but he will be here at 10 a.m.)

4/25/05 -- T/C from M. Mohler -- has 9:45 a.m. meeting; unable to attend. T/C from M. Brassil -- has made a commitment for the day; impossible to break; was not scheduled to sit.

- E-mail to Ms. Bird (unlisted telephone); T/C voice mail message left for Mr. Johnson.
- T/C from Mr. Johnson -- strongly objects to any postponement since he has waited so long for this hearing; would be willing to go forward with two people.
- T/C from Ms. Bird -- she also would not object to a two-member panel for this hearing. Advised Mr. Johnson that all parties are in agreement for two member panel, should Mr. Stahl be unavailable. Hearing will go forward at 10 a.m.

4/26/05 -- Board convened for hearing (Stahl, Quinn, Crizer); completed case this date; exhibits to be entered by Petitioner: Building Permit and Deed. Deliberation to be assigned and notice sent.

- Notice of Deliberation sent to parties; assigned for Wednesday, May 11, 2005 at 9:30 a.m. FYI copy to 2-6-7.

5/11/05 -- Board convened for deliberation (2-6-7); unanimously granted petitioner's request; written Opinion and Order to be issued; appellate period to run from date of written Order. (7)

6/03/05 -- One of many calls received this date from Mr. Johnson inquiring as to the status of his final written Order. Advised Mr. Johnson that the normal time frame was approximately 4 weeks from deliberation; requested names of panel members on his case, etc. **Will call Mr. Johnson at 410-823-6066 when the decision is in final format with approximate date of issuance.**



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1010, 1012, 1014, 1016 ^{TIMBER TRAIL RD}
which is presently zoned R 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE LOCATION OF
A DETACHED ACCESSORY STRUCTURE (GARAGE) ON A LOT.
WITHOUT A PRINCIPAL STRUCTURE.

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

I, or we, agree to pay expenses of above Special Hearing, 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):

CHARLES WILLIAM JOHNSON

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Case No. 04-576-SPIA.

REV 9/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING -

UNAVAILABLE FOR HEARING -

Reviewed By SM Date 06-09-04

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-576-SPH
1010, 1012, 1014, 1016
Timber Trail Road
N/west side of Timber Trail
Road, 12 feet s/east of
centerline of Midcrest Court
9th Election District
3rd Councilmanic District
Legal Owner(s): Charles
William Johnson

Special Hearing: to permit
the location of a detached
accessory structure (garage)
on a lot without a principal
structure.

Hearing: Wednesday, Au-
gust 18, 2004 at 10:00
a.m. in Room 106, County
Office Building, 111 W.
Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible
for special accommoda-
tions. Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

(2) For information con-
cerning the File and/or Hear-
ing, Contact the Zoning Re-
view Office at (410) 887-
3391.

JT8/614 Aug.3 -15481

CERTIFICATE OF PUBLICATION

8/5/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 8/3/, 2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

C4-576 SP4
No. 35783

DATE 6-6-94 ACCOUNT RECEIPTS

AMOUNT \$ 65.00

RECEIVED FROM: Charles Williams Johnson

FOR: Res. Spec. Hearing
1010-1016 Timberline Assoc. Inc.

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

107

PAID RECEIPT

BUSINESS ACTUAL TIME
6/10/2004 6/09/2004 15:57:43
REB MS01 WALKIN JRIC JWR
>RECEIPT # 190707 6/09/2004 DELH
Dept 5 528 ZONING VERIFICATION
CR NO. 005783

Receipt Tot \$65.00
\$65.00 EX \$1.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

SIGN RE-LOCATION:

PLEASE REMOVE THE SIGN FROM IT'S CURRENT LOCATION AT 1010 TIMBER TRAIL ROAD AND RE-LOCATE TO THE LOT KNOWN AS 1014 TIMBER TRAIL ROAD.

FILE COPY OF ORIGINAL SIGN POSTING REQUEST ATTACHED.

The sign was RE-LOCATED AS REQUESTED on 12/31/, 2004

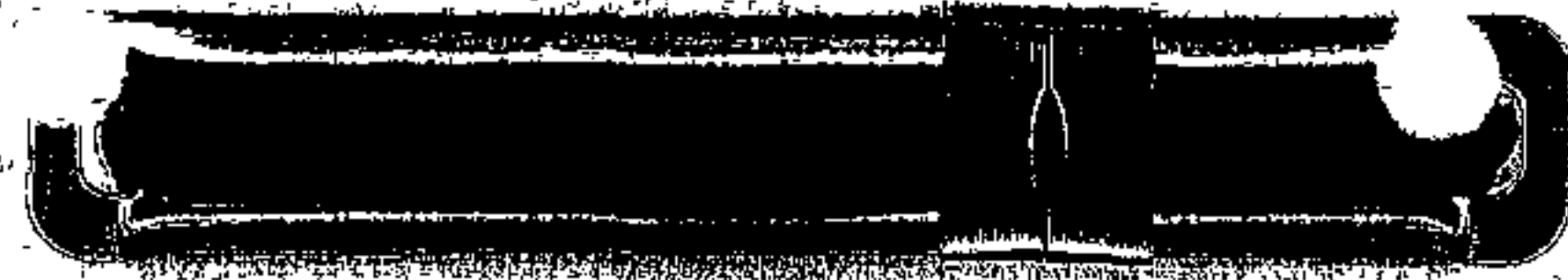
By:

Chen

(Signature of Sign Poster)

Jerry Chen

(Printed Name)



APPEAL SIGN POSTING REQUEST

CASE NO.: 04-576-SPH

C WILLIAM JOHNSON - LEGAL OWNER

1010 TIMBER TRAIL ROAD - TOWSON

9TH ELECTION DISTRICT

APPEALED: 9/20/2004

ATTACHMENT - (Plan to accompany Petition - Petitioner's Exhibit No. 1)

CERTIFICATE OF POSTING

RE: CASE NO. 04-576-SPH
PETITIONER/DEVELOPER:
Charles William Johnson
DATE OF HEARING: August 18, 2004

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION: KRISTEN MATTHEWS

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**



POSTED ON: July 29, 2004

LOCATION:
1010, 1012, 1014, 1016 Timber Trail Road
Towson, MD 21286

DATE:
July 29, 2004

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSON TOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

June 21, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-576-SPH

1010, 1012, 1014, 1016 Timber Trail Road
N/west side of Timber Trail Road, 12 feet s/east of centerline of Midcrest Court
9th Election District – 3rd Councilmanic District
Legal Owner: Charles William Johnson

Special Hearing to permit the location of a detached accessory structure (garage) on a lot without a principal structure.

Hearing: Wednesday, August 18, 2004, at 10:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Charles William Johnson, 1010 Timber Trail Road, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 3, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

February 10, 2005

NOTICE OF ASSIGNMENT

CASE #: 04-576-SPH

IN THE MATTER OF: C. WILLIAM JOHNSON -
Legal Owner /Petitioner 1010 Timber Trail Road
9th Election District; 3rd Councilmanic District

9/02/04 – Z.C.'s Order in which requested zoning relief was DENIED.

ASSIGNED FOR:

TUESDAY, APRIL 26, 2005 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellant /Petitioner

: C. William Johnson

Christine Bird

Office of People's Counsel
William J. Wiseman /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

April 26, 2005

NOTICE OF DELIBERATION

IN THE MATTER OF:

C. WILLIAM JOHNSON – Petitioner /Legal Owner
Case No. 04-576-SPH

Having heard this matter on 4/26/05, public deliberation has been scheduled for the following date /time:

DATE AND TIME : WEDNESDAY, MAY 11, 2005 at 9:30 a.m.

LOCATION : Hearing Room 48, Basement, Old Courthouse

ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Kathleen C. Bianco
Administrator

c: Appellant /Petitioner : C. William Johnson

Christine Bird

Office of People's Counsel
William J. Wiseman /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

FYI: 2-6-7



**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

August 16, 2004

Charles William Johnson
1010 Timber Trail Road
Towson, Maryland 21204

Dear Mr. Johnson:

RE: Case Number:04-576-SPH, 1010,1012,1014,1016 Timber Trail Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 9, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: July 23, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For June 28, 2004
Item Nos. 572, 573, 575, 576, 577,
578, and 579

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

RWB:CEN:jrb

cc: File



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

June 29, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 21, 2004

Item No.: 576
572-579

Dear Ms. Mathews:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 6.22.04

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

RE: Baltimore County
Item No. 576 JZA

Dear Ms. Matthews:

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,

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr
DATE: June 28, 2004
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 21, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-572

04-573

04-575

04-576

04-577

04-578

04-579

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

**BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE**

DATE: December 3, 2004
TO: Kathleen C. Bianco
Board of Appeals
FROM: James Thompson
Code Enforcement Supervisor
SUBJECT: Case No. 04-576-SPH
1010 Timber Trail Road
Johnson - Petitioner

Enclosed is correspondence that the Zoning Commissioner's office had sent to our department as to possible enforcement action.

However, after reading Ms. Bird's letter, the issues raised are not violations but her concerns should become part of the case file before the board.

JHT/lrs

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
1010,1012,1014,1016 Timber Trail Rd; NW/S
Timber Trail Rd, 12' SE c/line Midcrest Ct * ZONING COMMISSIONER
9th Election & 3rd Councilmanic Districts
Legal Owner(s): Charles William Johnson * FOR
Petitioner(s) * BALTIMORE COUNTY
* 04-576-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of July, 2004, a copy of the foregoing Entry of Appearance was mailed to Charles William Johnson, 1010 Timber Trail Road, Towson, MD 21286, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

JUL 01 2004

Per.....

From: Kathleen Bianco
To: Christine Bird
Date: 4/25/2005 9:07:26 AM
Subject: Board of Appeals Hearing

Ms. Bird:

Please contact this office as soon as possible regarding the hearing assigned for Tuesday, April 26, 2005 at 10:00 a.m. (In the Matter of: *C. William Johnson*).

A postponement of that hearing is possible, and I am attempting to reach both you and Mr. Johnson prior to tomorrow in the event we cannot go forward as scheduled.

My telephone number is: 410-887-3180.

Thank you.

Kathleen C. Bianco
County Board of Appeals
Room 49, Old Courthouse
Towson, MD 21204
410-887-3180
410-887-3182 (FAX)
kbianco@co.ba.md.us

T/C 9³⁵ am
from Ms. Bird -
no obj. so 2 members
panel on 4/26/05
so hearing can go
forward.

MAY 26, 2004

TO MR. TIMOTHY KOTROCO :

DIRECTOR - PDM

RM. 111

111W. CHESAPEAKE AVE.

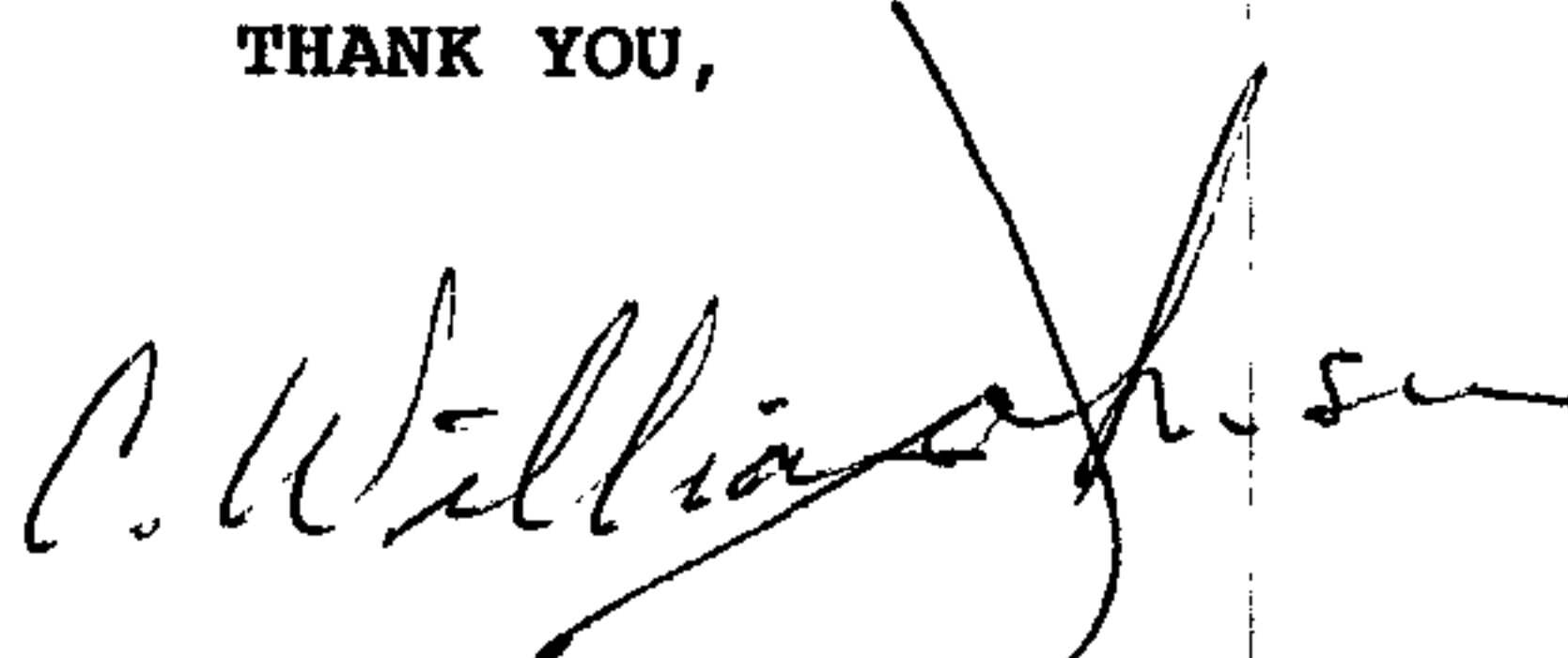
TOWSON MD. 21204

SPIRIT AND INTENT

I HAVE RECIEVED AN ADMINISTRATIVE VARIANCE FOR THE LOCATION AND HEIGHT OF MY PROPOSED DETACHED GARAGE BLDG. (04-197-A), BUT I WANT TO LOCATE IT WHERE IT NO LONGER WILL STRADDLE THE JOINT LOT LINE.-SEE ATTACHED DRAWINGS.

I WOULD LIKE CONFIRMATION THAT THIS CHANGE IN GARAGE LOCATION (NOT STRADDLING LOT LINE) MEETS WITH THE SPIRIT AND INTENT OF VARIANCE CASE NO. 04-197-A.

THANK YOU,


C. WILLIAM JOHNSON
1010 TIMBER TRAIL ROAD
TOWSON, MARYLAND 21286
410-823-6066

NOTE TO FILE:

CLIENT HAS BEEN ADVISED TO SHOW REASONS WHY THE GARAGE MUST BE PLACED ON A SEPARATE LOT, INCLUDING LOCATION OF LARGE TREES, STEEP SLOPES, AND WET & OR UNSTABLE GROUND AREAS.

04-576-5211

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 20, 2004

Charles William Johnson
1010 Timber Trail Road
Towson, MD 21286

Dear Mr. Johnson:

RE: Case : , Address

RECEIVED

OCT 20 2004

**BALTIMORE COUNTY
BOARD OF APPEALS**

Please be advised that this office received your appeal of the above-referenced case on September 20, 2004. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: Lawrence E. Schmidt, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Christine Bird, 1021 Timber Trail Road, Towson 21286

Visit the County's Website at www.baltimorecountyonline.info



APPEAL

Petition for Special Hearing
1010 Timber Trail Road
NW/side of Timber Trail Rd., approx. 800' e/of Midmeadow Rd.
9th Election District – 3rd Councilmanic District
Legal Owner: C. William Johnson

Case No.: 04-576-SPH

Petition for Special Hearing (June 9, 2004)

Zoning Description of Property

Notice of Zoning Hearing (June 21, 2004)

Hearing Held on August 18, 2004

Certification of Publication (August 3, 2004)

Certificate of Posting (July 29, 2004) by Bruce Doak

Entry of Appearance by People's Counsel (July 1, 2004)

Petitioner(s) Sign-In Sheet
None in File

Protestant(s) Sign-In Sheet
None in File

Citizen(s) Sign-In Sheet
One Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit
1. Plat to accompany Petition for Special Hearing
2. Site Plan

Protestants' Exhibits:
None

Miscellaneous (Not Marked as Exhibit)
1. Topo Map
2. Garage Drawing
3. 3 Pages of Photos
4. Original order Granting Variance request, dated November 20, 2003
5. Spirit and Intent Letter dated June 2, 2004

Zoning Commissioner's Order (DENIED – September 2, 2004)

Notice of Appeal received on September 20, 2004 from C. William Johnson, Petitioner

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
C. William Johnson, 1010 Timber Trail Rd., Towson 21286
Christine Bird, 1021 Timber Trail Road, Towson 21286

date sent October 20, 2004, klm

#1

BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: C. William Johnson
04-576-SPH

DATE : May 11, 2005

BOARD/PANEL Lawrence Stahl
John P. Quinn
Edward W. Crizer, Jr.

RECORDED BY: Linda B. Fliegel/Legal Secretary

PURPOSE: To deliberate Petitioner's request for approval of a detached accessory structure (garage) on a lot without a principal structure.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

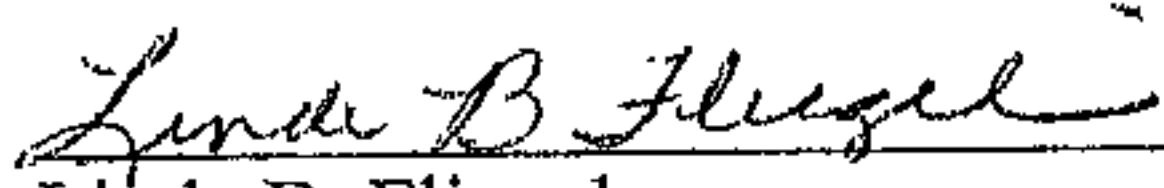
- Property was purchased in 1973.
- Three lots are placed on same Deed.
- Current house straddles lots 8 and 9.
- Petitioner would like to build a garage on lot 10.
- Lots are very narrow and builder had to sell as one.
- Lots needed to be used in conjunction with each other.
- There are currently two curb cuts and the new plan calls for three.
- The proposed garage does not violate the nature and spirit of the area.

DECISION BY BOARD MEMBERS: The Board reached a unanimous decision to GRANT the request for a variance.

FINAL DECISION: After a deliberation and review of the facts and law, the Board GRANTED the Petitioner's variance with the restriction that a third entrance could not be made and that the Petitioner would have to make a connection to the garage from what already exists on the other two lots.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place that date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted


Linda B. Fliegel
County Board of Appeals

Zoning Commissioner's Office
Suite 405
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Mr. Charles W. Johnson
Case No. 04-576-SPH

RECEIVED
NOV 23 2004
ZONING COMMISSIONER

November 21, 2004

Dear Sirs or Madam,

I refer you to the denial handed down on September 2nd by Mr. Schmidt concerning Mr. Johnson's petition to erect a free standing structure to house his recreational vehicles, etc. on a specific portion of his property. Additionally, Mr. Johnson requested to install a Third driveway on his property for access to this structure requiring him to cut into the existing curb line.

I attended the hearing concerning Mr. Johnson's request and stated that I felt as though this new structure was not in character with the surroundings based on the proposed building site. Mr. Johnson has ample acreage to erect this structure closer to his existing house without having to deforest as much of his property or having to incur the additional cost of constructing a Third access driveway. As one of the homeowners who lives across the street from Mr. Johnson's proposed structure, I objected to it being erected for the reasons stated above. Based on Mr. Schmidt's decision my concerns seemed valid.

The reason I am framing this letter is to express my utter frustration concerning Mr. Johnson's total disregard of Mr. Schmidt's decision as County Zoning Commissioner. It was only a matter of days after the hearing that Mr. Johnson totally deforested the very area in question. Not to mention Mr. Johnson's use of chain saws during the evening hours to cut up the fallen wood. As Mr. Johnson has continued to work on this site, it appears as though he is going to be constructing this building by doing the work himself. He has dug foundation cores so that concrete can be poured into them as well as other work preparing the site for construction. I would have to wonder if Mr. Johnson is licensed and or qualified to build a structure of this size?

It is quite disconcerting to know that despite a Commissioner's decision, that a resident can ignore a Commissioner's decision and proceed without penalty (the appeal process aside). I moved to the Hampton Garden's Neighborhood in 1991 for its natural beauty, solitude and privacy. Mr. Johnson has single handedly managed to destroy all of these elements by proceeding to deforest virgin woodland in order to build his recreational palace. In addition, this structure will certainly lower my property value making it harder for me to sell my house when the time comes. Now, instead of looking out my front window and seeing trees, I'll be seeing Mr. Johnson's garage. I would not have even minded a residential house built on this property, for it would have been more in keeping with the surrounds. Additionally, I doubt Mr. Johnson will be landscaping or reforesting the area around the structure leaving it exposed.

In conclusion, I can only say that I am saddened that Baltimore County allows for this sort of practice by persons such as Mr. Johnson. I believe Mr. Johnson has additional uses in mind for this structure, such as operating a business. If he wasn't, why does he need such a large structure on this particular lot as well as the need for a *Third* driveway? And finally, if Mr. Johnson chose to be verbally abusive to Mr. Schmidt, imagine his "good neighbor" skill level.

Thank you for taking the time to read this letter. Please respond if possible.

Thank you,

Christine Bird

September 18, 2004

Appeal to Case No. 04-576-SPH of Baltimore County - to locate a detached structure (garage) on a lot without a principal structure.

I certainly do want to make an appeal on the subject case. I am absolutely surprised and confused about the response from the Zoning Commissioner, Lawrence E. Schmidt - in this special hearing case!

In November 2003, Mr. Schmidt granted to me a variance, and in his exact words, "to permit an accessory structure (garage) to be located in the front and side yard in lieu of the required rear yard and to be 20 feet in height and in lieu of the permitted 15 feet." - and to be 30 feet wide and 70 feet long!

In Mr. Schmidt's written answer to this special hearing, he wrote - Ms. Bird, (the only single person who appeared in opposition to the request) said that the proposed garage is "too large," when in fact it is going to be "much smaller," (600 sq. ft. smaller) and lower in height, than the original zoning and the exact same distance from the road variance for which I already have the final approval by Lawrence Schmidt.

He also wrote, "She said that she objects to a curb cut and driveway for this garage." The fact is Lot #10 is zoned as a separate building lot and I certainly do have the right to have access to it! Also, David Duvall, at the Zoning counter, told me that a driveway is not really a zoning matter, at all!

I feel that Mr. Schmidt has completely and totally missed and ignored the primary purpose of this hearing!

RECEIVED

SEP 23 2004

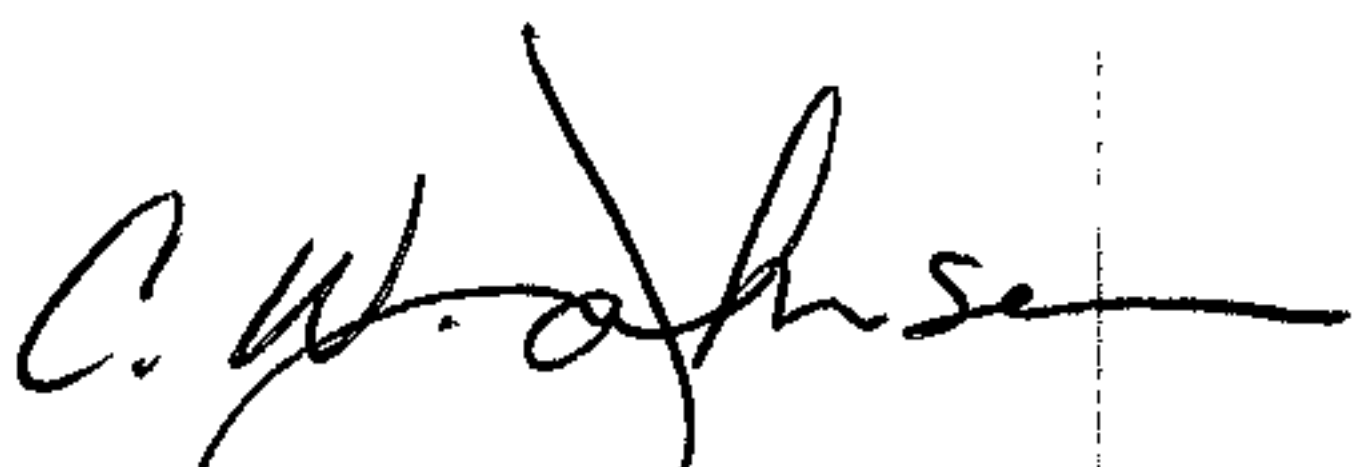
Per...*kem*

I believe that the series of documents that I submitted, and the testimony and evidence that I offered at this special hearing was more than adequate to satisfy the two-step requirements necessary as set forth in Cromwell vs. Ward - i.e.

- A. The property whereon the structure is to be placed is unique, unusual and different from the surrounding properties.
- B. I showed and explained with drawings and photos that practical difficulty and unreasonable hardship would result with strict compliance with the B.C.Z.R.
 - 1. (i) I cannot make any reasonable use of this property because of the septic problems and the storm runoff problems.
 - (ii) These difficulties or hardships are peculiar to the subject property.
 - (iii) This hardship was not a result of my own actions.
 - 2. Strict compliance with B.C.Z.R. would unreasonably prevent the use of the property for the permitted purpose.
- C. N/A
- D. N/A
- E. N/A

This special hearing was only to see if I can put the garage just on Lot #10, where it does not straddle Lot #9 and Lot #10!

I believe that Mr. Schmidt's decision to deny this petition - was totally due to the fact that I complained about his very tardy response (more than three weeks) and his inability to give a verbal decision before his written response.


Charles William Johnson

DATE _____

E-MAIL

CHRISTIE@msb.com

THE TITLE GUARANTEE COMPANY
(Corporation Form)

App. H- 82133

This Deed, Made this

24

day of

October

, in the year one

thousand nine hundred and

seventy-three

, by and between

JETT DEVELOPMENT

CORPORATION

a body corporate of the State of

Maryland

, of the first part, Grantor, and

CHARLES WILLIAM JOHNSON, party of the second part, Grantee.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey and assign unto the said Grantee, his heirs and assigns, in fee simple, all those

lot(s) of ground situate in the Ninth Election District of Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEING known and designated as Lots Nos. 8, 9, 10 and 11, Block B, as shown on a Plat entitled "Subdivision Plan Section One, Plats Two and Four, Hampton Gardens", which Plat is recorded among the Land Records of Baltimore County in Plat Book W.J.R. No. 28, folio 100.

BEING part of all that property which by Deed dated July 20, 1962 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 4020, folio 584, was granted and conveyed by Theresa B. Mueller, et al, unto the within named Grantor.

007**** 25985202 26-73 100
0006**** 25985202 26-73 100
0465**** 25985202 26-73 100
07851**** 25985202 26-73 100

Petitioner's #2

Together with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lots(s) of ground and premises, unto and to the use of the said Grantee, his heirs and assigns, in fee simple, forever.

And the said Grantor covenants that it will warrant specially the property hereby granted and conveyed, and that it will execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

In Testimony Whereof, the said Grantor has caused its corporate seal to be hereto affixed, and its Vice-President to set his hand hereto.

WITNESS:

JETT DEVELOPMENT CORPORATION

BY

Donald M. Jett

President

State of Maryland, *Baltimore County*, TO WIT:

I HEREBY CERTIFY, that on this *24th* day of *October*, 19*73*, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared *Donald M. Jett*, who acknowledged himself to be the Vice-President of the Grantor Corporation, and that he, as such Vice-President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing, in my presence, the name of the said corporation by himself as Vice-President, and certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the Grantor Corporation.

WITNESS: my hand and Notarial Seal

Samuel G. Bayley

Notary Public

Recorded for record OCT 26 1973 at *11 14*
 Per Elmer H. Kahline, Jr., Clerk
 Mail to THE TITLE GUARANTEE COMPANY
 Receipt No. *✓* \$ *7.00*

357

Stamps, U. S. \$..... Md. \$ 59.40

Application No. H-82133

Written by FTT:hc

Approved by FTT

Ready for Record

1800.00
270.00
90.00
+ 11
10 + 11
AT 11
9-10-25 1059
251060
251061
251062
251063

SEND FUTURE BILLS TO:

ADDRESS: 5904 Schering Rd
21206

RETURN TO:
THE TITLE GUARANTEE CO.
ST. PAUL & LEXINGTON STS.
BALTIMORE 2, MD.

9th Dist. Baltimore Co., Md.
THE TITLE GUARANTEE COMPANY

5420

DEED

TRANSFERRED
FROM 13
10-26 MJC

JETT DEVELOPMENT CORPORATION

DATE

TO

CHARLES WILLIAM JOHNSON

RECEIVED & RECORDED
IN CLERK'S OFFICE
73 OCT 28 4 11 PM
5404
357

7
RETURN TO: Cost of Record, \$ 7.00
THE TITLE GUARANTEE COMPANY
ST. PAUL & LEXINGTON STS.
BALTIMORE 2, MD.

4-26-05

Case# 04-576 -SPH

Johnson

William Johnson

- bought in 1973 lots 8, 9, 10 + 11 2.4 acres
- 2 years ago wanted to build garage
- has boats + cars + RV's with tall trees on lots that hold up boats
- one tax bill
- lot has severe slope
- built house in 74 + 75 between lines far set back
- house is on 8 + 9
- one deed for 4 lots will submit latter
- 10 + 11 have the most severe slope
- the 1st time in 03 garage was on 10 (95% of building on 10 but 5% on 9)
- change garage to smaller which took it off lot 9 + 10 does not have a principal building
- County told him to make sure he straddles ~~over~~ lot 9
- Has permit for smaller garage/concrete pad that reaches lot 9

Christine Bird

- has no problem with having a garage but does not want it in the front
- + does not want trees cut down + does not want a third driveway to garage.
- steel building is not in keeping w/ the neighborhood
- 2 days after denial he cleared prop.

2.

William Johnson

did not combine lots because of cost & tax will be more because 2 lots were unbuildable & combining them will ^{be more} in taxes
lot 11 will be left alone 150 ft
& lot 10 will have trees in front
has not had an engineer look at water

Christine Bird - thinks he should build garage on side of house

William Johnson - willing to move driveway off of existing driveway not cut a third apron

April 26, 2005

C. William Johnson - Zoning Relief - Denied
C. William Johnson

Christian Bird, Appellant

1) 2 yr. ago - Build detached garage to store
cars, boat, etc

Purchase 1973

Hampton gardens

Lot (8,9), 10, 11 ^{not more severe drop off.} joined & deeded separately

2.21 Ac.

1 tax bill

dimension 1/2 ac. lot.

drop off type top

public water - provide
sewerage

* other lot, not able to build on

House is on lot 8 & 9 near sewer to provide sewer
recorded as 1 deed service

Make deed available & present as evidence

Built House in 1975

In 2003 lot to get Varied (15' high)
build closer to road. (Need 20')

build on line of lot 9 & must build on lot 10
get administrative variance

20' high 30x70 Var approved.

30x50 Prefabricated Building 15' High
does not cross "line" line

Lot to get "letter of intent" in File

Applied for special hearing 04'

Reg to Just Part Det Building garage on 1 lot.

can not straddle building into lot #9.

Was building permit to build with pack.

Building delivered (imperial)

Build concrete pad.

Subdivided
anyone of
Zoning law

Exhibit #1
" #2)

DEED

Testimony of ~~Appellant~~^{Witness} - Christini Bird

1021 Tumbler Trail Rd across from the ~~John~~ Johnson House.

- 1) concern structure being built in woods on his lot.
~~Dep Eden September Sept.~~
- 2) cut in other drive way - 3rd. from street.
- 3) Not in keeping with neighborhood
- 4) Prefers Metal structure
- 5) depreciate value of her property
- 6) He cut down woods already

Reasons for denial:

Did not join later due to cost. to do so.
+ Taxer consequences.

Lot of 150 front remain wooded

Color of Structure

BUILD PAD!



1012

1014

SIGN POSTED
FOR VARIANCE

EXHIBITS NO.

10 B



EXHIBIT No.
5A



EXHIBIT No.

5B



6:04

EXHIBIT NO.
5C
3811 SPRING
ROAD



EXHIBIT NO.
8803
SPRING ROAD
NO GA



EXHIBIT No.
A 7 A



EXHIBIT No.

#7B

EXHIBIT No.

8-A

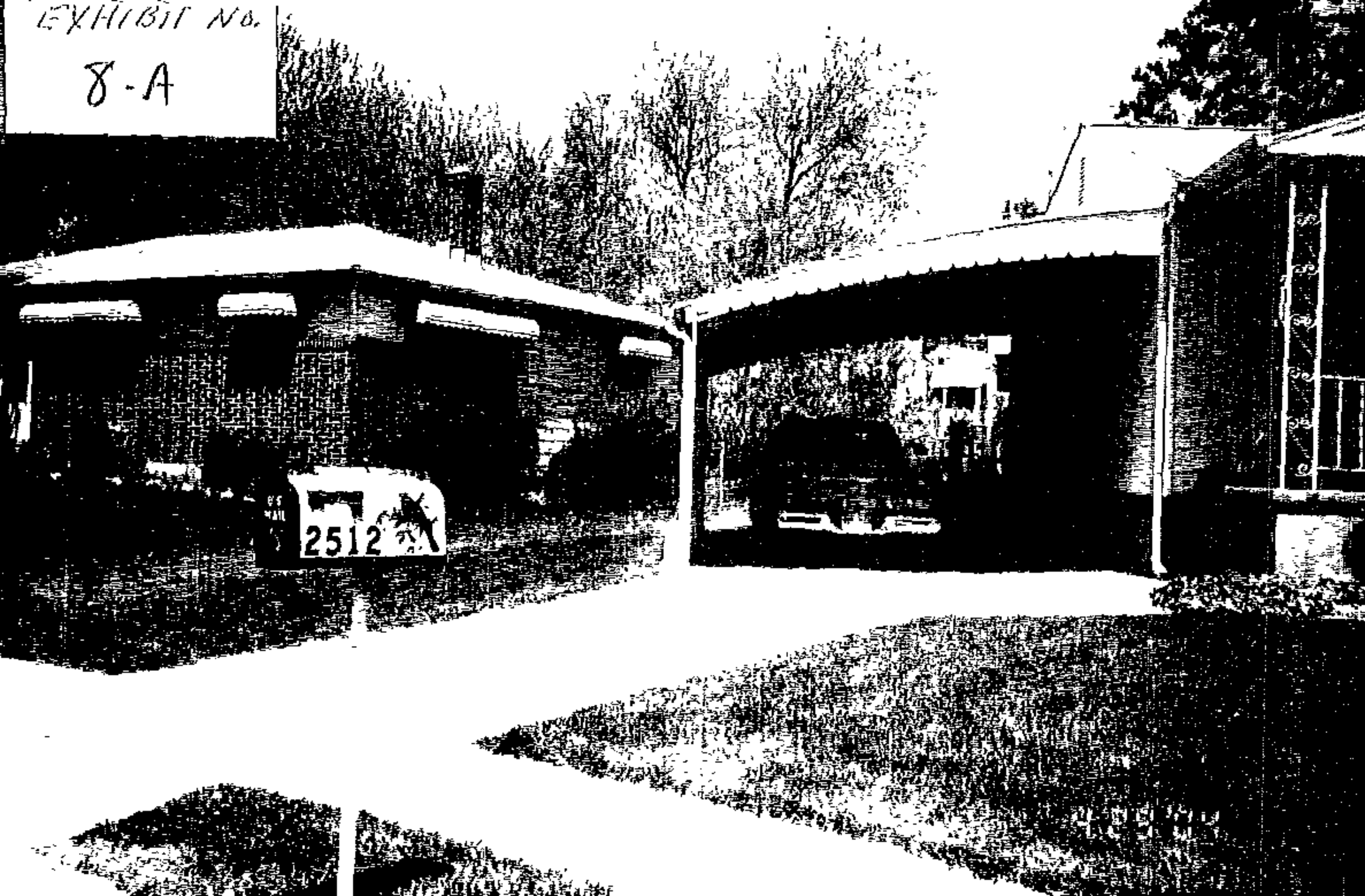


EXHIBIT No.
8-B



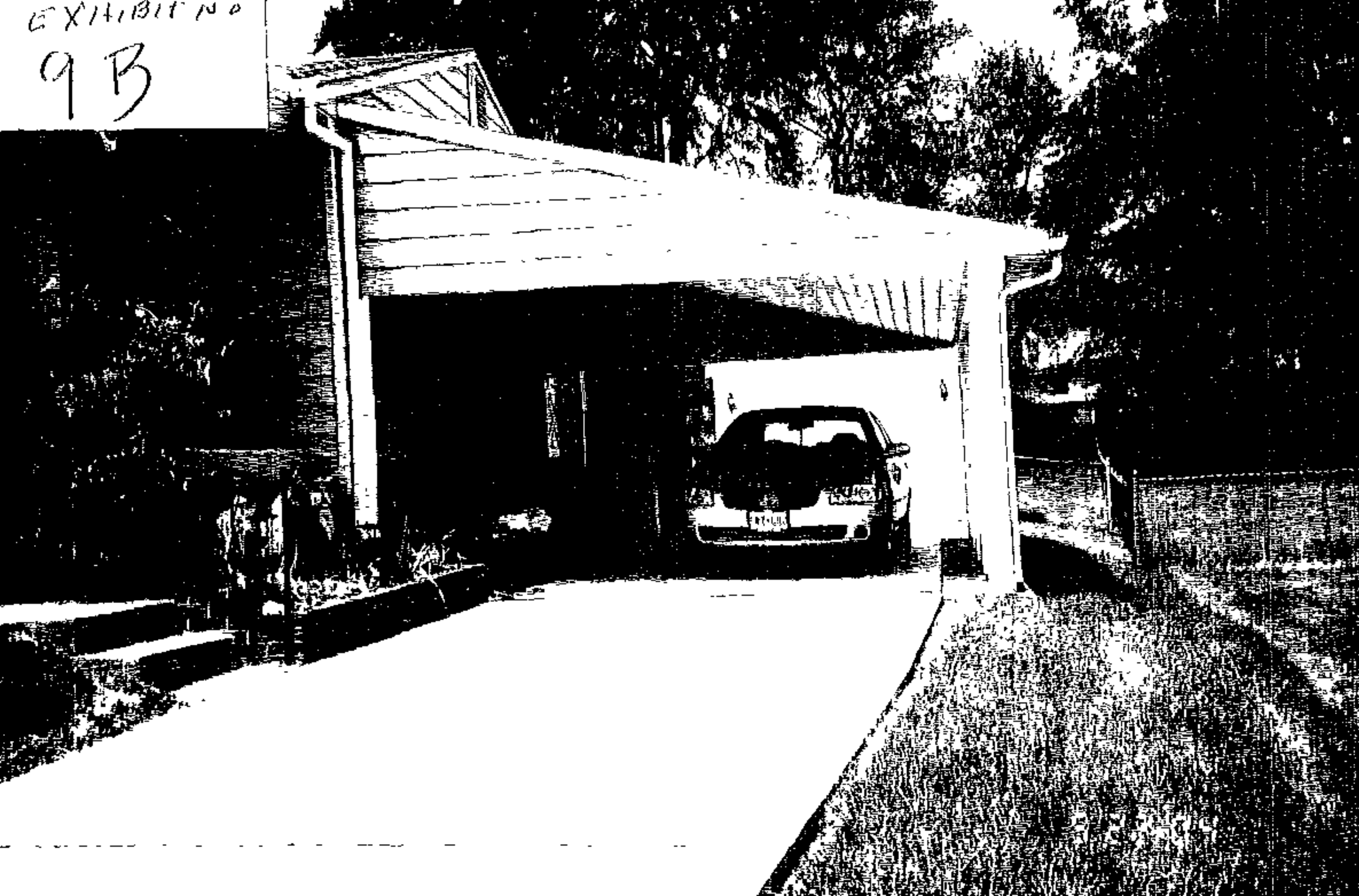
EXHIBIT NO.
9A



8-17-04

EXHIBIT NO

9B



EX. STORM
DRAIN DITCH
FR. MID MEADOW

VIEW A

[Handwritten signature]



VIEW B

APPROX. LOCATIONS
OF EXIST. VERY
LARGE TREES

DECEIDERS

EX. STORM
DRAIN
UNDERGROUND
PIPE

STEAM
GEATE

EX. LAMP
POST

SLOPE

SLOPE

SLOPE

VIEW C

30x50x16'

70' SET BACK

CONCRETE
STEAM
GEATE

STEAM
PIPE

STEAM
GEATE

DRAINAGE
DITCH

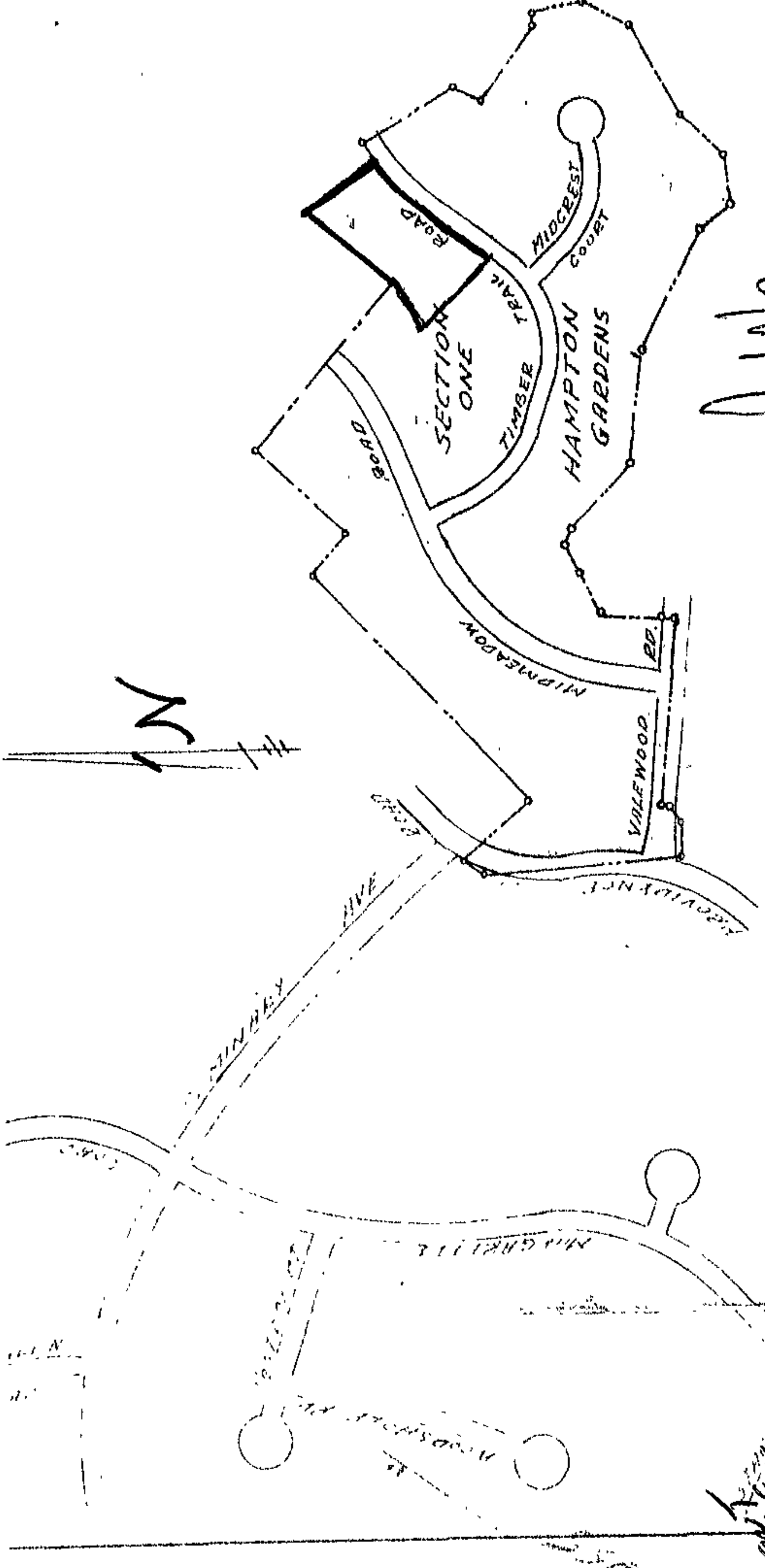
10 UTILITY
EASEMENT

TIMBER TRAIL RD.
HAMPDEN GARDENS
PLOT #100 LOT #8, 9, 10, 11 SECTIONS

SCALE: 1" = 25'

C. WILLIAM JOHNSON
1010 TIMBER TRAIL ROAD
TOWSON, MARYLAND 21286
410-823-6066

A	310.00	58.23.34	245.80	212.81	241.90	N 9.54.15 E
B	555.46	17.23.38	170.16	145.25	109.59	N 7.7.0. W
C	775.01	7.51.10	133.71	145.77	133.66	N 81.57.15 W
D	625.00	60.13.50	675.83	3.775	645.76	N 35.34.25 E
E	575.00	62.13.50	6.45.52	147.07	534.28	N 35.34.25 E
F	515.00	22.32.01	206.45	05.57	205.14	N 55.20.10 E
G	575.00	22.51.38	279.42	165.6	277.77	N 55.19.11 E
H	320.00	41.10.00	231.78	21.23	226.75	S 4.1.00.07 E
I	310.00	41.30.04	268.00	140.18	267.18	S 44.00.00 E
J	249.28	80.00.00	403.63	242.57	311.63	N 75.15.00 E
K	322.71	52.27.27	295.46	159.00	282.35	N 89.01.16 E
L	410.38	26.19.15	188.42	145.90	186.77	N 48.24.13 E
M	330.38	26.19.24	185.41	145.90	186.77	N 48.24.13 E
N	264.12	57.20.31	308.89	174.85	297.43	S 67.47.06 E
O	300.00	22.31.14	379.72	220.05	354.67	S 70.34.27 E
P	500.00	49.20.18	43.06	22.97	41.74	S 54.00.16 W
Q	500.00	35.39.33	31.12	16.08	30.62	N 89.00.18 W
R	500.00	25.29.37	226.45	—	—	—
S	4.12.11	13.19.47	78.08	47.1	74.91	N 41.54.52 E
T	4.12.11	1.21.12	125.76	62.72	24.48	S 29.30.11 W
U	4.12.11	1.21.12	125.76	62.72	24.48	S 29.30.11 W



LOCATION MAP
SCALE: 1" = 500'

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING
PROPERTY ADDRESS 1010, 1012, 1014, 1016 TIMBER TRAIL
SUBDIVISION NAME HAMPTON GARDENS
PLAT BOOK ~~WAB 28~~ FOLIOTED Lot # 8, 9, 10, 11 **SECT. ONE**
OWNER

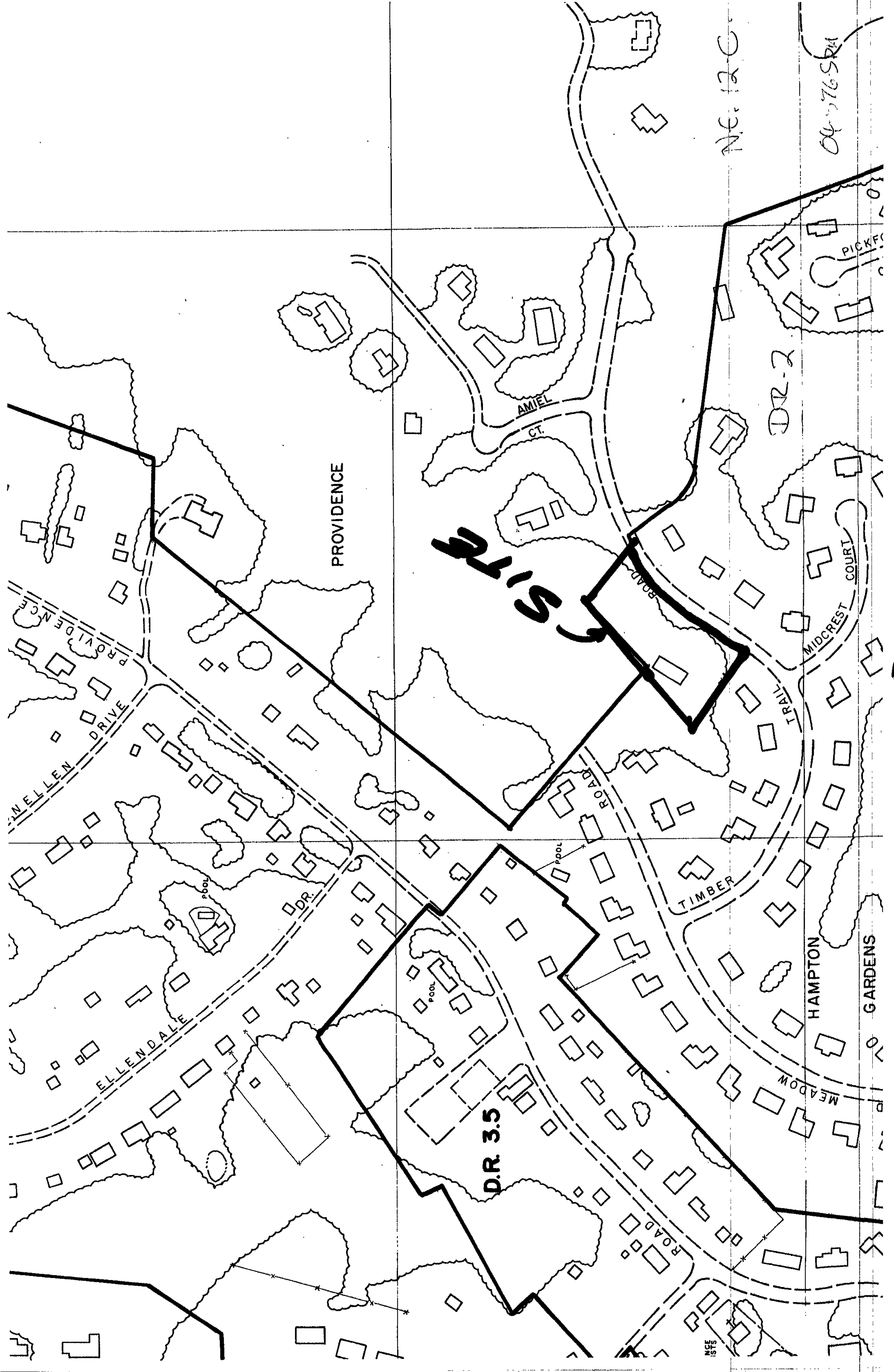
C. WILLIAM JOHNSON
1010 TIMBER TRAIL ROAD
TOWSON, MARYLAND 21286
410-823-6066

LOCATION INFO:
ELECT. DIST. #9 COUNCILMANIC DIST. 3ED
SCALE 1"=100'
ZONING DR 2 N.E. 12-C
LOT SIZE (4) 1/2 ACRE LOTS (2.21 ACRES)
SEWER - PRIVATE WATER - PUBLIC
CHESP. BAY CRIT AREA - NO
100 YR FLOOD PLAN - NO
HISTORIC PROPERTY - NO
PRE ZONING HEARING ZONING USE ONLY
NONE

1010 **10457684**

SCALE 1"=100'





PROVIDENCE

AMIEL CT.

DR-2

MIDCREST COURT TRAIL

HAMPTON GARDENS

TIMBER

ELLENDALE

WELLEN DRIVE

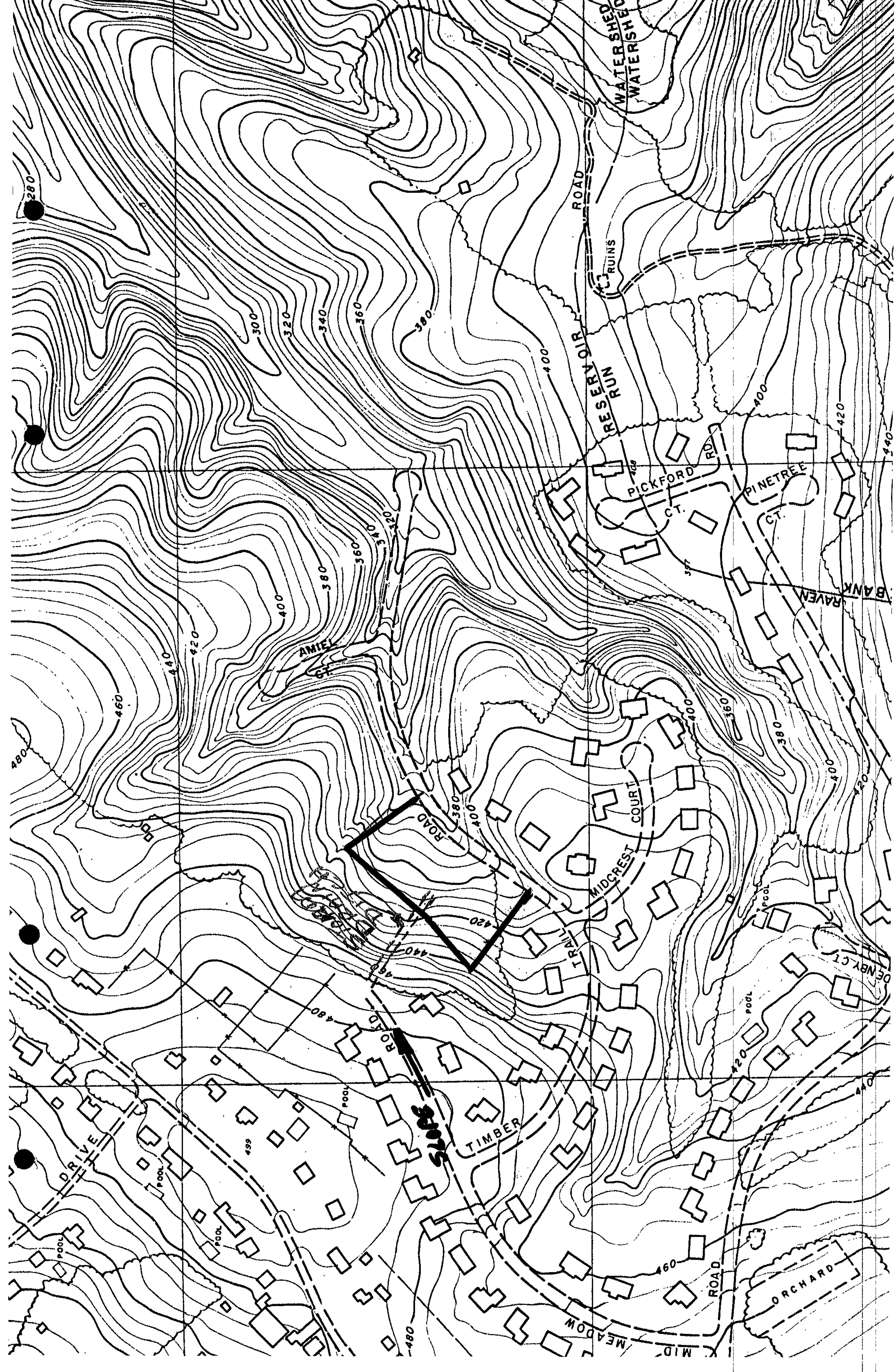
PROVIDENCE NCE

D.R. 3.5

No. 120

04-765M

h



GARAGE BLDG.

1010 TIMBER TRAIL RD
TOWSON MD 21286

410-823-6066

C. William Johnson

2x8
38" x 8 1/2"

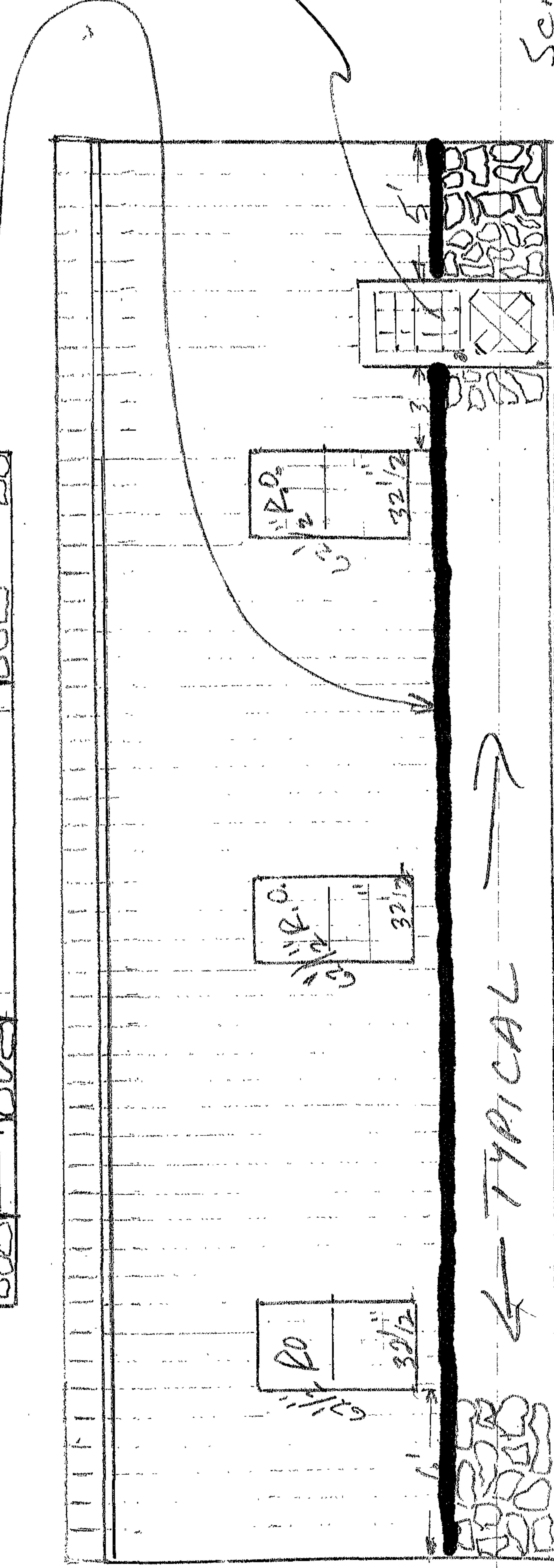
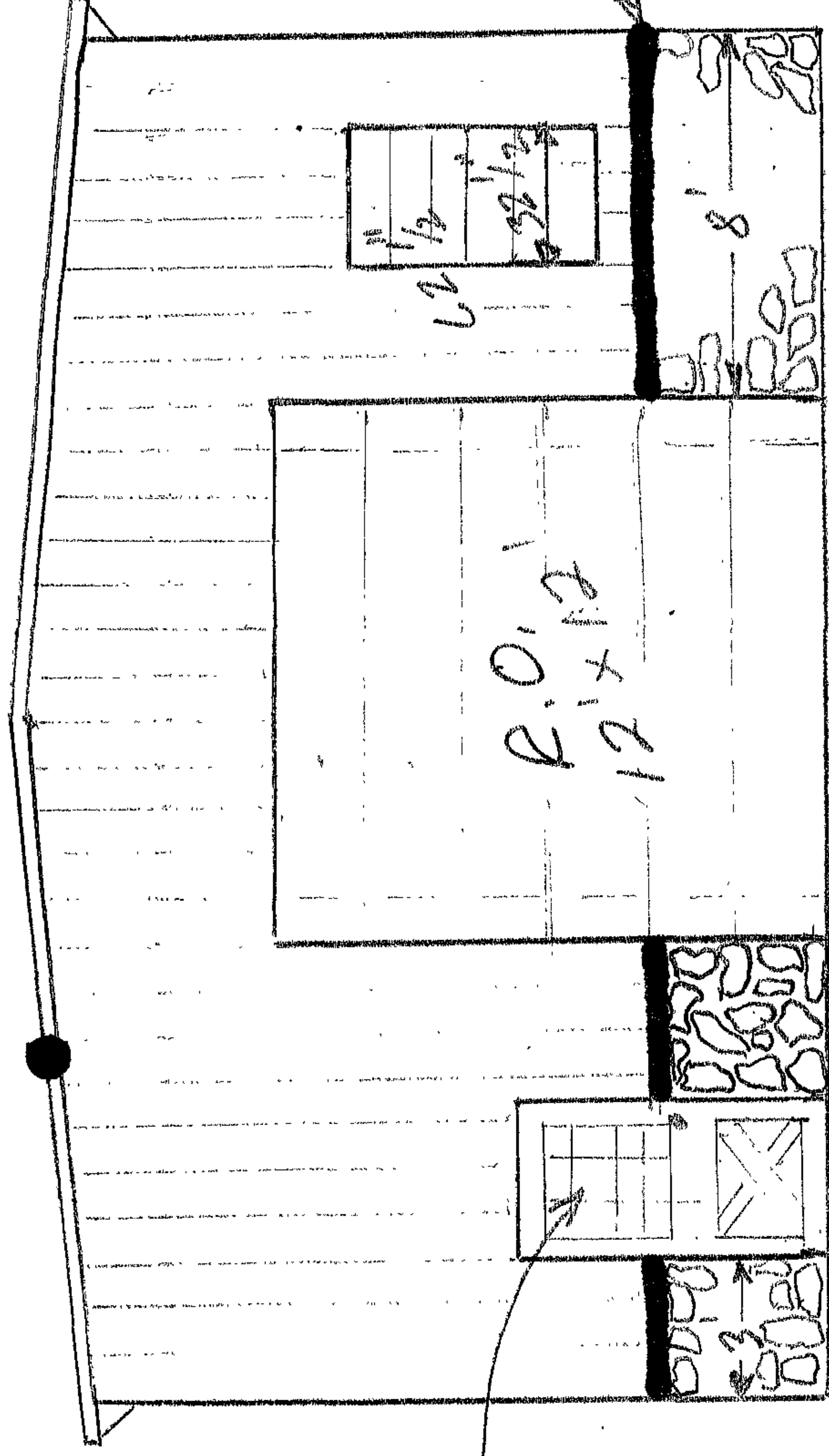
2x12
12' x 12'

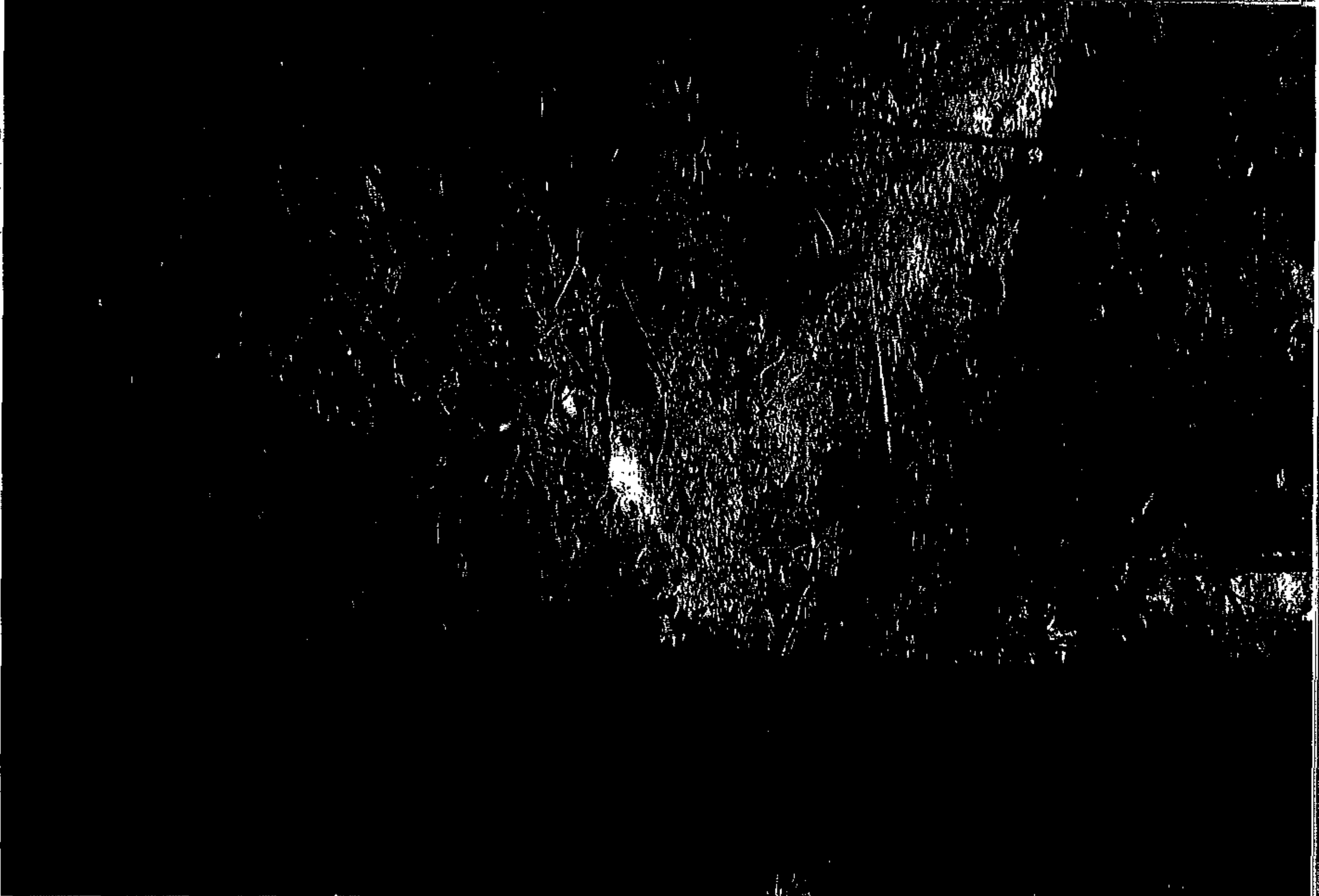
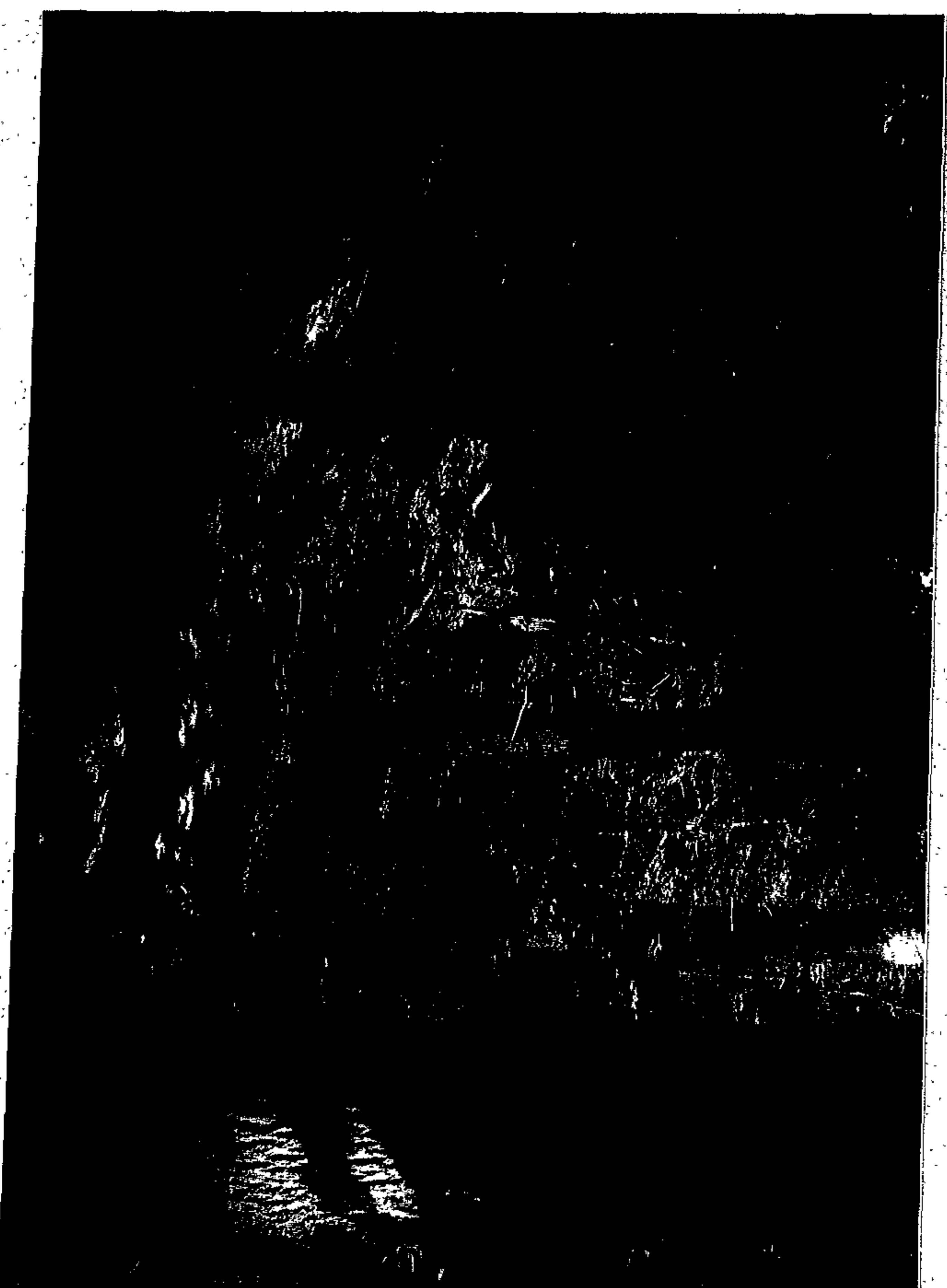
INTERMEDIATE
FLASHING

2x8
38" x 8 1/2"

SCAFF
1/4" = 1'

DRAWN 5-15-04





Nirubor

1010

1010

1010

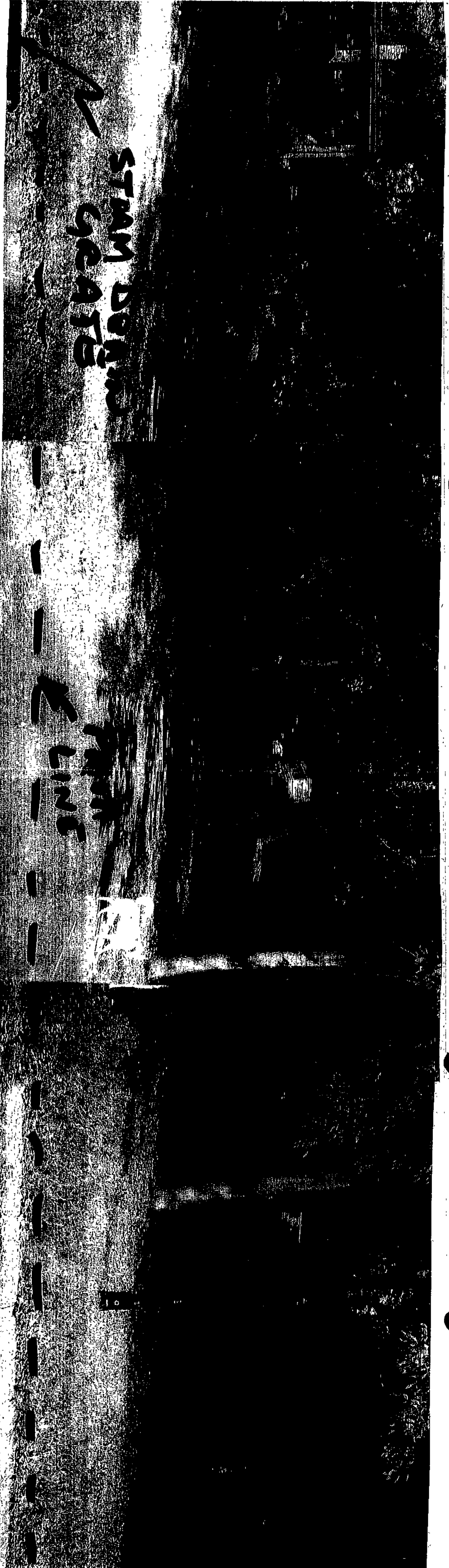
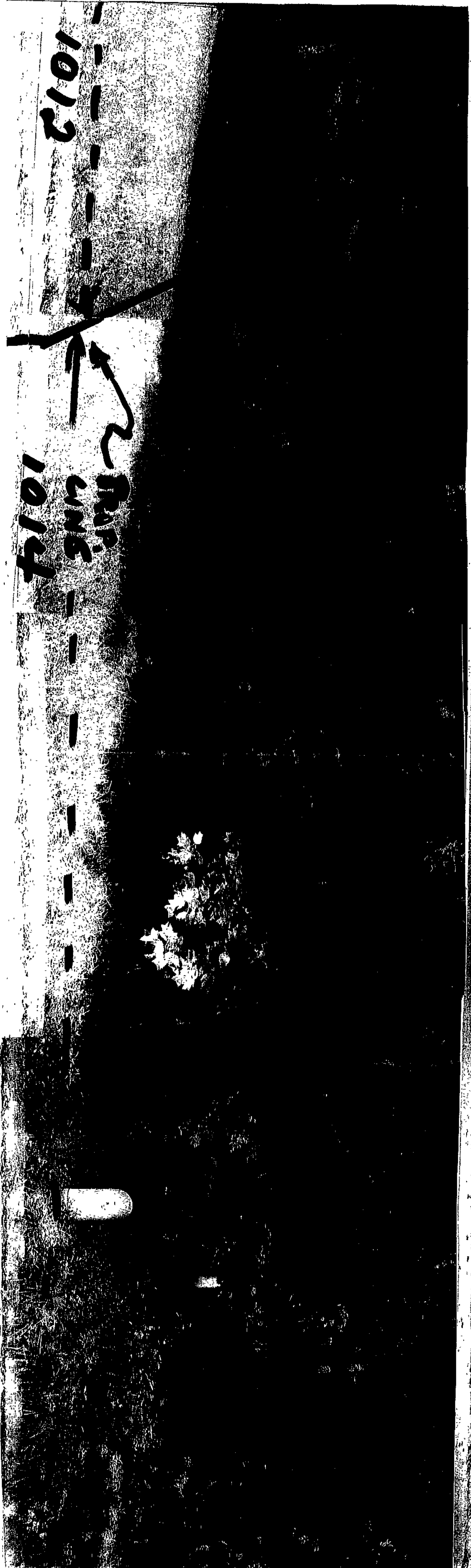


EXHIBIT No
9C

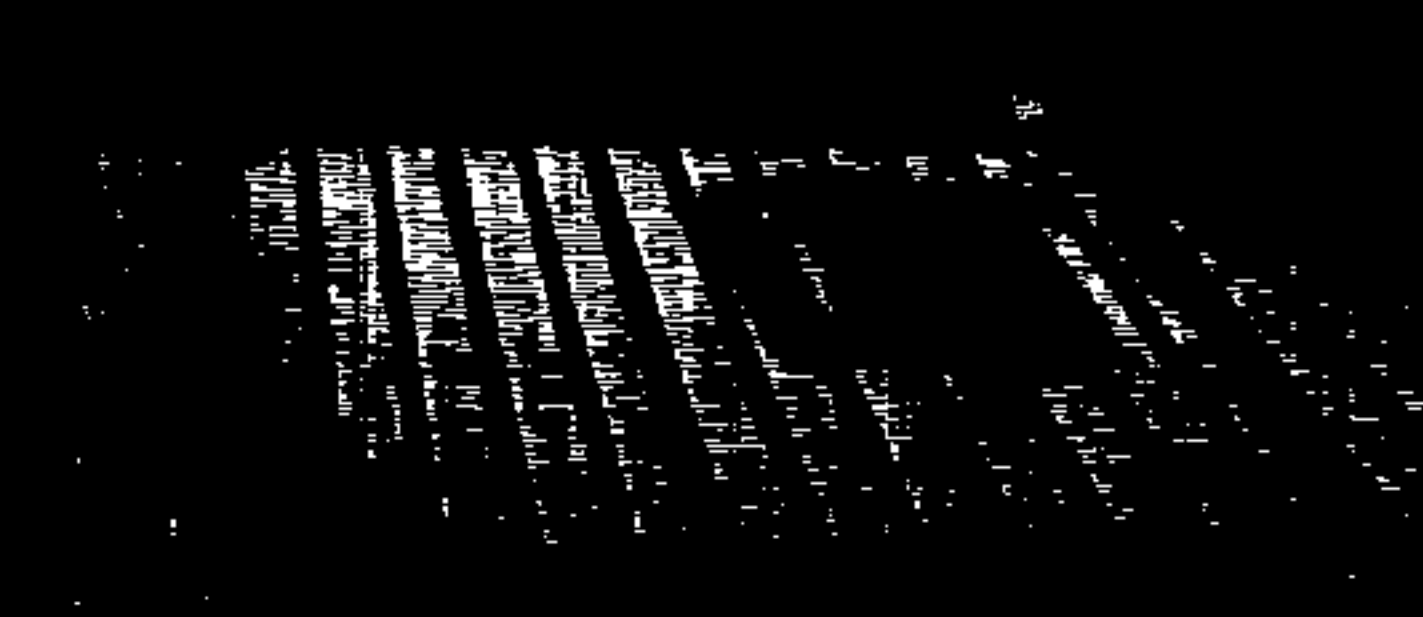
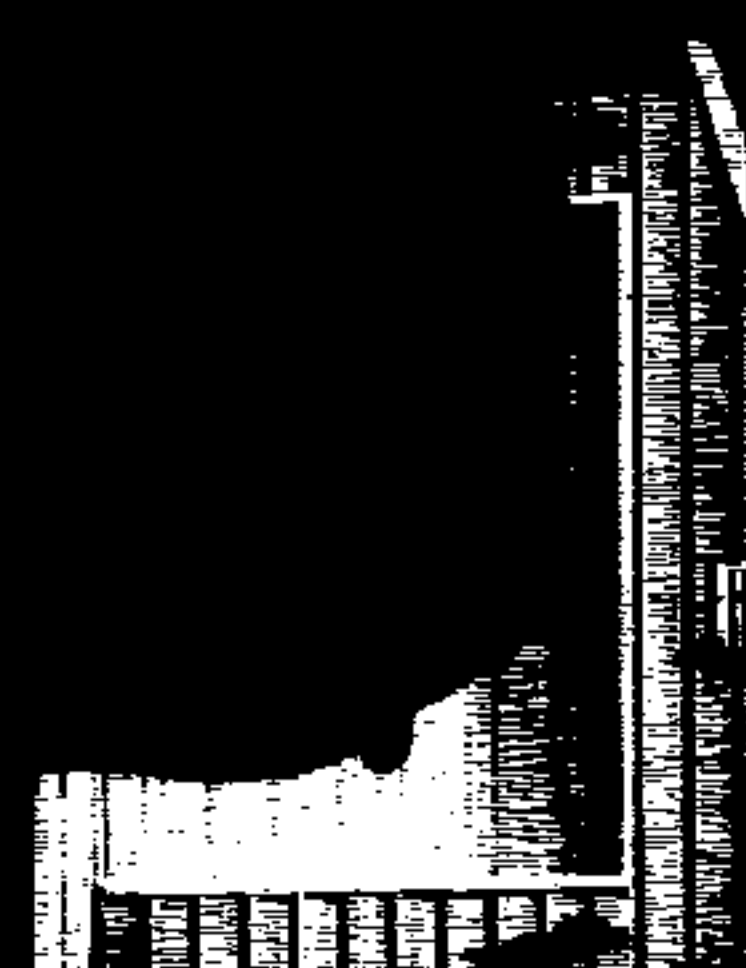


EXHIBIT No
9 D



EXHIBIT NO
10 A

