IN THE MATTER OF	* BEFORE THE BOARD OF APPEALS
DONNA GORJÓN,	* OF
Appellant	* HOWARD COUNTY, MARYLAND
	* CASE NO. BA-829-D / CE-26-17

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

APPELLANT'S OBJECTION AND WRITTEN PROFFER OF EXCLUDED EVIDENCE AND TESTIMONY

Appellant Donna Gorjón, pro se, submits this objection and written proffer so that the record of this appeal reflects the evidence and testimony she was prepared to present at the hearing of October 27, 2026.

1. The rulings.

At the October 27, 2026 hearing, the Board unanimously denied the Department of Planning and Zoning's Motion to Dismiss (recording at 00:24:51). The Board then stated that it would consider only whether what was built violated the building permit or whether the inspection itself was mistaken, and that it may not review the issuance of the building permit (00:24:58; 01:20:20).

Applying that ruling, the Board declined to admit Appellant's Exhibits 6, 7, 9, 11, 15 and 32 as not relevant, because they predate the complaint or concern the permit (00:51:00; 00:52:37; 01:01:35; 01:05:20; 01:28:42; 02:02:47). The Board accepted page 2 of Exhibit 30 for identification only (03:21:09). The Board sustained an objection to questions to Mr. Geoffrey Goins about his November 28, 2023 email (02:09:26), and limited his examination to 2025, after which Appellant concluded her examination of him. The Board admitted Exhibits 5 and 21, including the video.

Appellant respectfully objects to the exclusion of the evidence described below. This proffer is not a request to reargue the rulings. It is submitted so that the record shows what the

excluded evidence is and why Appellant offered it.

2. Why the evidence relates to the decision on appeal.

This appeal is from DPZ's March 10, 2026 decision finding no violation in Case CE-26-17. The garage at 10450 Waterfowl Terrace stands within the required 7.5-foot side setback; DPZ's witness agreed the structure invades the setback and described the invasion as permissible. That invasion is permissible only if the garage encroaches "no further into the setback than the existing dwelling" under Section 128.0.B.2.a. DPZ's decision rested on treating the former shed as part of the existing dwelling, a determination first made in November 2023 and relied on again on March 10, 2026. The excluded evidence bears on whether that treatment had any factual basis, and on whether the carport and shed were intentionally demolished and replaced, which Section 128.0.B.5 does not permit.

3. Exhibits offered and not admitted.

Each exhibit is identified on Appellant's Revised Table of Exhibits dated October 19, 2026, served on all parties.

1. **Exhibit 6.** 1969 original plot plan and archival site plan: shows a carport and no shed when the house was built.
2. **Exhibit 7.** Dietz Surveying boundary survey, April 28, 2023: labels the "Shed" separately from the "Frame Dwelling" and contains no notation that the shed is attached.
3. **Exhibit 9.** State Department of Assessments and Taxation record: lists "1 Carport."
4. **Exhibit 11.** Wilde Lake Community Association correspondence, May 18 and June 29, 2026: the lot file contains no application for construction of a shed.
5. **Exhibit 15.** Photographs and the November 17 and 28, 2023 emails between the owner and Mr. Goins: DPZ accepted the owner's statement that the carport and shed were "connected to the house," with no site visit or measurement.
6. **Exhibit 30.** DPZ's file copies of the September 28, 2023 survey (accepted for identification only): the reviewer note calls the shed "attached," cites Mr. Goins's email as its source, and states no distance from the shed to the property line. Inspector Blanding testified that this survey is where he obtained the 4.8-foot figure.

7. **Exhibit 32.** DPZ emails of November 2023: the side setback is 7.5 feet, and an addition may encroach "no further into the setback than the existing dwelling."

4. Testimony not received.

Mr. Geoffrey Goins. Had questions about his November 28, 2023 email been permitted, Appellant expected Mr. Goins to confirm that before that email he did not visit the property or measure the shed or its distance to the property line, and that his email does not identify any physical feature connecting the shed to the house.

Mr. Justin Tyler and Ms. Rosa Gil. In light of the Board's ruling, Appellant does not intend to call these witnesses. Appellant expected Mr. Tyler to confirm that in November 2023 he advised that the property is subject to a 7.5-foot side setback and did not state that the shed or carport was part of the dwelling, and expected Ms. Gil to testify that she carried a hose from the carport down the brick steps without passing through any door or building.

Mr. Brian Dietz, Mr. Rodolfo Angel, and Mr. Antonio Forte. In light of the Board's ruling, Appellant does not intend to call these witnesses. Appellant expected Mr. Dietz to confirm that his firm's April 28, 2023 boundary survey (Exhibit 7) labels the shed separately from the dwelling and nowhere states that the shed was attached or connected to it. Appellant expected Mr. Angel, holder of electrical permit E25006682 issued November 12, 2025, and Mr. Forte to confirm that the electrical panels, HVAC systems, laundry, water heater, and BGE meter on that side of the house were relocated because the garage was being built there.

5. Requests.

Appellant respectfully requests that this objection and proffer be made part of the record of BA-829-D; that the exhibits listed above be retained with the record, marked for identification; and that the Board's written decision state the basis for their exclusion.

Nothing in this filing waives any objection, right, or remedy available to Appellant.

Respectfully submitted,

Donna Gorjón
Appellant, Pro Se
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October, 2026, a copy of the foregoing Appellant's Objection and Written Proffer was served by electronic mail to:

Kel Berg, Board Administrator – kberg@howardcountymd.gov
Aaron Weiss, Board Counsel – aweiss@howardcountymd.gov
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Donna Gorjón