

RE: **HERMANN F. SCHMID**
ANNE B. SCHMID
LEGAL OWNERS/PETITIONERS
PETITION FOR VARIANCE
112 Ridgefield Road

9th Election District
3rd Councilmanic District

* **BEFORE THE**
* **BOARD OF APPEALS**
* **FOR**
* **BALTIMORE COUNTY**
* **Case No. 12-228-A**

* * * * *

OPINION

This case comes before the Board of Appeals as a result of Petitioners, Hermann F. and Anne B. Schmid seeking zoning approval in the form of a Variance to permit a side yard setback of 2.75 feet and a sum side yard setbacks of 10.75 feet as opposed to the required 12 feet and 20 feet respectively, at 112 Ridgefield Road, Lutherville, Maryland 21093. The Variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.).

A hearing was held before the Baltimore County Board of Appeals on December 5, 2012. Petitioner's request was opposed by Dulaney Valley Improvement Association, Inc., Protestant, who was represented by J. Carroll Holzer, Esquire. Petitioners, Hermann F. and Anne B. Schmid, Petitioner's were represented by James J. Doyle, Esquire. A Public Deliberation was held on Thursday January 3, 2013.

BACKGROUND

The Petitioner filed a Petition for Administrative Variance and the subject property had a closing date of April 16, 2012. On April 13, 2012, Maxwell Collins, Treasurer of Dulaney Valley Improvement Association, Inc. requested a formal hearing on this matter. A hearing before Judge Beverungen of the Office of Administrative Hearings (OAH) was held on May 17, 2012. Judge Beverungen denied the request for a variance citing that the property did not meet

the uniqueness test as established under Cromwell. Judge Beverungen, in his Order dated May 23, 2012, denied the variance request but did not order the removal of the shed in question.

Hermann F. and Anne B. Schmid filed a timely appeal of Judge Beverungen's decision. The appeal was heard by the Board of Appeals for Baltimore County on December 5, 2012.

At the December 5, 2012, 2012 hearing, Mr. Hermann F. Schmid testified that he and his wife purchased the subject property in 1977 and have maintained this property as their primary residence since that date. Mr. Schmid engaged a contractor in May of 2011 to install an addition and deck on the rear of the home. During the course of this construction the contractor also constructed a shed that attached to the side of the property. A permit was not obtained for the shed. Mr. Schmid testified that he inquired with the County concerning the required permits and was informed incorrectly that a permit was not needed. Mr. Schmid also testified that a County inspector visited the property on several occasions during construction and never questioned the location of the construction of the shed.

Mr. Schmid was then told by the County at the final inspection that the shed did not comply with local zoning laws and he would need to apply for a variance. Mr. Schmid testified his property is unique because the front yard and back yard slope. He further testified that the backyard slope limited where a shed could be placed. Various photographs were placed into evidence which showed the back yard slope and the existing tree line that would limit Mr. Schmid's options for placement of a backyard shed.

Mitch J. Kellman testified as an expert witness on behalf of Mr. and Mrs. Schmid. Mr. Kellman testified that he has made several site visits and is familiar with the property. He further explained that the proper side setbacks for this particular property are 7 feet on the side of the

home where the shed is located, and 10 feet on the opposite side since this property was constructed in 1955, and follows applicable zoning standards for that time period.

Mr. Kellman further testified that the property is unique because of the steep slope in the rear of the property and the existing vegetation that lines the back property line of the rear yard. He further testified that the shed conforms with the standards and customs of the neighborhood.

The final witness on behalf of Mr. and Mrs. Schmidt was Mr. John Burgess who resides at 1214 Long Fork Road, Lutherville, Maryland. Mr. Burgess testified that he has no objection to the shed and added that it meets with current design standards of the neighborhood. He also testified that the Schmid's maintain their property in an immaculate condition and should be able to be permitted to have the shed at its current location.

Mr. Holzer, on behalf of the Dulaney Valley Improvement Association, Inc., called three witnesses to the stand. The first was Mr. Brad Potterfield who resides at 114 Ridgfield Road, Lutherville Maryland 21093. Mr. Potterfield is the immediate neighbor on the shed side of the home. Mr. Potterfield testified that his concern is the resale value of his property given the proximity of the shed to his lot line.

The second witness was Mr. Maxwell R. Collins, II, Treasurer of the Dulaney Valley Improvement Association, Inc. Mr. Maxwell explained that the Association was opposed to the variance because it is a substantial encroachment that is too close to the property line.

The final witness in opposition of the variance was Mr. James Patton. Mr. Patton was admitted as an expert in the areas of zoning, civil engineering and land planning. He testified that all lots in the subdivision are similar in that they are rectangular platted lots that are very common in this area. The structure envelopes of the property are similar as are the home designs and home sizes. Mr. Patton testified that Mr. and Mrs. Schmid's hardship is self imposed

because they did not disclose the construction of the shed at the time they applied for the permits to build a deck and addition on the rear of the house.

There was also additional testimony from Mr. Patton that the structure in question is not a 'shed' under BCZR 307.1 but instead represents 'an addition'. This testimony was rebutted by the Schmid's expert Mr. Kellman.

DECISION

Maryland jurisprudence is well established regarding the factors to be considered when contemplating variance relief.

Baltimore County Zoning Regulations, Section 307.1, in pertinent part, states as follows:

"...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare...."

In *McLean v. Soley*, 270 Md. 216 (1973) the court established the following criteria for determining practical difficulty or unreasonable hardship:

- "1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- "2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- "3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured."

Further, in *North v. St. Mary's County*, 99 Md. App. 502 (1994) the Court held that

"...the 'unique' aspect of a variance requirement does not refer to the extent of improvements on the property, or upon neighboring property. 'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects and bearing or party walls." Id at 514

In the Court of Special Appeals in *Cromwell v. Ward*, 102 Md.App. 691 (1995), wherein the Court writes:

...The Baltimore County ordinance requires "conditions ...peculiar to the land...and...practical difficulty...." Both must exist. ...However, as is clear from the language of the Baltimore County ordinance, the initial factor that must be established before the practical difficulties, if any, are addressed, is the abnormal impact the ordinance has on a specific piece of property because of the peculiarity and uniqueness of that piece of property, not the uniqueness or peculiarity of the practical difficulties alleged to exist. **It is only when the uniqueness is first established that we then concern ourselves with the practical difficulties....**" Id. at 698.

In requiring a pre-requisite finding of "uniqueness", the Court defined the term and stated:

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.... Id. at 710.

Petitioner's Argument

The Petitioner argues that their property is unique under BCZR 307.1 because of the front yard and rear yard slope. Petitioner further argues that existing tree vegetation in the rear yard limits the placement of a detached shed on the property.

While the Board concedes that the Petitioner's situation may constitute a "unique" circumstance, we are not satisfied that the subject property has unique physical characteristics that would satisfy the requirements found in *Cromwell*.

CONCLUSION

This Board is not persuaded that the Petitioner has illustrated uniqueness of its parcel to deviate from standing zoning requirements its property. Consequently, Petitioner's requested Variance relief is DENIED.

ORDER

THEREFORE, IT IS THIS 6th day of February, 2013 by the Board of Appeals of Baltimore County

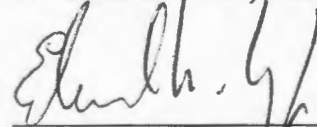
ORDERED that the Petitioner's request for a variance from Section 1B02.3.B of the BCZR, to permit a side setback of 2.75 feet and a sum side yard setbacks of 10.75 feet in lieu of the required 12 feet and 20 feet respectively, be and is hereby **DENIED**.

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*.

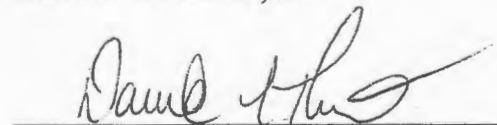
**BOARD OF APPEALS
OF BALTIMORE COUNTY**



Wendell H. Grier, Panel Chairman



Edward W. Crizer, Jr.



David L. Thurston



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 6, 2013

James J. Doyle, Esquire
212 Duke of Gloucester Street
Annapolis, MD 21401

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286

RE: *In the Matter of: Hermann and Anne Schmid – Legal Owners/Petitioners*
Case No.: 12-228-A

Dear Counsel:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

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*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure
Duplicate Original Cover Letter

c: Hermann and Anne Schmid
Robert A. Cordes, M.D.
Tiffany Potterfield
Susan Shaffer
Timothy Ruppalt
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

Dulaney Valley Improvement Association, Inc.
Brad Potterfield
Patrick J. Connolly, Jr.
Joyce T. O'Dwyer
Max Collins, Esq.
Rodney Larrick, Code Enforcement Officer/PDM
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

IN RE: PETITION FOR ADMINISTRATIVE
VARIANCE

N/E Side of Ridgefield Road
178' SE, Centerline of Felton Road
(112 Ridgefield Road

9th Election District
3rd Councilmanic District

Hermann and Anne B. Schmid

Petitioners

BEFORE THE

BOARD OF APPEALS

OF

BALTIMORE COUNTY

Case No.: 2012-0228-A

* * * * *

PRE-HEARING MEMORANDUM

Respondents, *Dulaney Valley Improvement Association*, and individuals,
Maxwell R. Collins, II, Robert A. Cordes, M.D., Bradley W. Potterfield,
Patrick J. Connolly, Jr. and Susan Schaffer, by and through their attorney,
J. Carroll Holzer, Esquire, Holzer & Lee, hereby submits this Pre-Hearing
Memorandum to assist the Board of Appeals and says:

Testimony and evidence revealed that the subject property is 7,200 sq. ft. and
zoned D.R. 5.5. Petitioners engaged a contractor to install an addition and deck to the
rear of their home. On or about the same time, the Petitioners also constructed an
attached "shed" at the side of his home and it is a structure that is the subject of the
Hearing before the Board of Appeals. No permit was obtained by the Petitioners.

LAW OFFICE
HOLZER AND LEE
THE 508 BUILDING
508 FAIRMOUNT AVENUE
TOWSON, MARYLAND
21286

(410) 825-6961
FAX: (410) 825-4923

RECEIVED
DEC 4 2012
BALTIMORE COUNTY
BOARD OF APPEALS

The Administrative Law Judge (hereinafter referred to as "ALJ"), John Beverungen, upon receiving evidence denied the variance request to permit a side yard setback of 2.75 feet and a sum of side yard setbacks of 10.75 feet in lieu of the required twelve feet (12') and twenty feet (20') respectively. His Denial Opinion was based on the failure to meet the Cromwell v. Ward, 102 Md. App. 691 (1995) test. While he denied the variance request, the ALJ determined he did not have powers to require removal of the shed and referred that responsibility to Baltimore County Department of Permits, Approvals and Inspections (PAI), pursuant to Baltimore County Code §32-3-602.

An appeal was taken to this Board by the Petitioner. Respondents would suggest that the ALJ was correct in his analysis under the Baltimore County Code and the Cromwell v. Ward case.

In the Baltimore County Zoning Regulations, B.C.Z.R. §307.1 states, in pertinent part:

"The Zoning Commissioner of Baltimore County, and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, and from sign regulations only in cases where special circumstances exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said

height, area, off-street parking or sign regulations, an only in such manner as to grant relief without injury to the public health, safety, and welfare. They shall have no power to grant any other variances.” Emphasis supplied.

This standard requires proof of the following:

1. That the land or structure is “unique,” a zoning term of art;
2. That the uniqueness “results” in “practical difficulty” pertinent to zoning compliance;
3. That there is true “practical difficulty,” another zoning term of art, and
4. That any such “practical difficulty” is not self-created, subject to recent Court of Appeals decisions.
5. That there will be no injury to the public safety, health and welfare.

Historically, a variance functions to allow a property owner a reasonable permitted use of property. 3 Young, *Anderson’s American Law of Zoning* 4th, §20.02, at 411 (1996):

“The underlying purposes of administrative relief have been discussed in an earlier chapter, but specifically, with respect to variances, it is said that a variance is ‘designed as an escape hatch from the literal terms of the ordinance which, if strictly applied, would deny a property owner all beneficial use of his land and thus amount to confiscation.’”

The three-pronged test under Maryland Case Law

The first inquiry here is whether the property is peculiar or “unique.” If evidence of uniqueness is insufficient or unpersuasive, the inquiry ends there.

Cromwell v. Ward, 102 Md. App. 691 (1995); *Umerley v. People’s Counsel*,

108 Md. App. 497 (1996); Riffin v. People's Counsel, 137 Md. App. 90, cert. denied, 363 Md. 660 (2001). If this threshold is passed, the next question is whether the unique condition results in "practical difficulty." McLean v. Solely, 270 Md. 208, 213-15 (1973). This also brings into play the further issue of impact on public safety and welfare.

The word "unique" is defined carefully. Otherwise, anyone could make some sort of claim. In Cromwell, 102 Md. App. at 710 (1995), the Court stated:

"In the zoning context the 'unique' aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property.

'Uniqueness' of a property for zoning purposes require that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects and bearing or party walls."

In McLean, 270 Md. 208, 214-15 (1973), the Court established three interrelated criteria to determine "practical difficulty:"

"In the zoning context the 'unique' aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property.

‘Uniqueness’ of a property for zoning purposes require that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects and bearing or party walls.”

In *McLean*, 270 Md. 208, 214-15 (1973), the Court established three interrelated criteria to determine “practical difficulty:”

“(1) Whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

(2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

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

McLean incorporates the “public safety and welfare” criterion as a distinct but related element of “practical difficulty.” B.C.Z.R. §307.1 identifies public health, safety, and welfare separately. IT makes sense intellectually to view it as either different

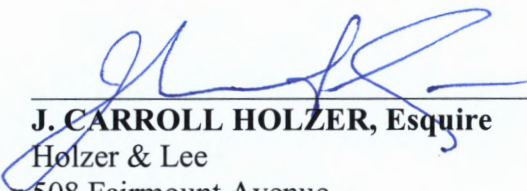
from the concern about unreasonable prevention of or burdening the use of property or as a kind of umbrella. It is, in a sense, either the third prong or the ultimate police power objective.

Many zoning petitioners assume the word "variance" implies a minor adjustment (like Webster's "variable," "variant," or "variation"). But Judge Cathell explained with depth in Cromwell that zoning controls must not lightly be disregarded. Otherwise, the structure of zoning law would collapse like a house of cards. Zoning law may not be quite as immovable as the rock of Gibraltar, but it is a far cry from a sand dune.

CONCLUSION

In this case, the Applicant cannot prove "uniqueness" and that special circumstances exist that are peculiar to the land. Also, they are unable to establish practical difficulty or unreasonable hardship, and finally, the Community of Rodgers Forge will sustain injury to the public health, safety and welfare.

Respectfully submitted,



J. CARROLL HOLZER, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of Dec., 2012, a copy of the foregoing Pre-Hearing Memorandum was mailed first class, postage pre-paid to the following:
Hermann and Anne B. Schmid, 112 Ridgefield Road, Lutherville, Maryland 21093.



J. CARROLL HOLZER, Esquire

IN RE: PETITION FOR ADMIN. VARIANCE *

NE/side of Ridgefield Road, 178' SE c/line

Of Felton Road *

(112 Ridgefield Road) *

9th Election District *

3rd Council District *

Hermann and Anne B. Schmid

Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0228-A

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Hermann and Anne B. Schmid. The Petitioners are requesting Variance relief from § 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 2.75' and a sum of side yard setbacks of 10.75' in lieu of the required 12' and 20', respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of April 16, 2012. On April 13, 2012, Maxwell Collins, Esquire, on behalf of the Dulaney Valley Improvement Association, requested a formal hearing on this matter. The hearing was subsequently scheduled for Thursday, May 17, 2012 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing. There was some dispute concerning the adequacy of the sign posting, although it is undisputed the sign was erected by a certified poster, Linda O'Keefe.

The Zoning Advisory Committee (ZAC) comments were received and are made part of

ORDER RECEIVED FOR FILING

Date 5-23-12

By PM

the record of this case. There were no adverse comments received from any of the County reviewing agencies.

Appearing at the public hearing held for this case were Petitioners Hermann and Anne B. Schmid. Several neighbors attended the hearing to voice their opposition to the petition, including: Maxwell R. Collins, II, Robert A. Cordes, M.D., Bradley W. Potterfield, Patrick J. Connolly, Jr., and Susan Shaffer.

Testimony and evidence revealed that the subject property is 7,200 square feet and zoned DR 5.5. In approximately May, 2011, the Petitioners engaged a contractor to install an addition and deck to the rear of their home. See Petitioners' Exhibit 4. At or about the same time, the Petitioners also constructed an attached "shed" at the side of his home, and it is this structure that was the subject of the hearing. Petitioners' Exhibit 2. The Petitioners testified they spoke with Baltimore County zoning authorities, who told them the shed would not need a permit if it was less than 120 square feet and at least 30" from the property boundary. This proved to be erroneous information, and Petitioners learned they would need variance relief for the shed, which has already been constructed. The community association – Dulaney Valley Improvement Association, Inc. (DVIA) – met on May 14, 2012 and voted (unanimously) to oppose the petition for variance.

Based upon the testimony and evidence presented, I will deny the request for variance relief. Maryland law imposes strict requirements which must be met in variance cases, and the Petitioners simply failed to present any testimony that would satisfy those standards.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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Date 5-23-12 2

By 

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioners failed to meet this test. Indeed, there was no evidence or argument presented that Petitioners' property was different in any material respects from adjoining neighbors.

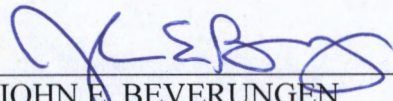
Mr. Collins testified that DVIA would like for Petitioners to be required to remove the shed. I do not have such equitable or coercive powers, however, and am unable to enter such an order. Enforcement of the County's zoning laws and Orders of the Zoning Commissioners is the responsibility of the Baltimore County Department of Permits, Approvals and Inspections (PAI). Baltimore County Code (B.C.C.) § 32-3-602. It is that agency which must make such a determination, and it too has a hearing procedure for such cases. B.C.C. § 3-6-101.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioners' variance request should be denied.

THEREFORE, IT IS ORDERED, this 23rd day of May, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief under § 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 2.75' and a sum of side yard setbacks of 10.75' in lieu of the required 12' and 20', respectively, be and is hereby DENIED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JEB:dlw


JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date

5-23-12

3

By





KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

May 23, 2012

Hermann Schmid
Anne B. Schmid
112 Ridgefield Road
Lutherville, Maryland 21093

RE: Petition for Admin. Variance
Case No.: 2012-0228-A
Property: 112 Ridgefield Road

Dear Mr. and Mrs. Schmid:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Maxwell R. Collins, II, 11 Greenridge Road, Lutherville, MD 21093
Robert A. Cordes, M.D., 1217 Oakcroft Drive, Lutherville, MD 21093
Bradley W. Potterfield, 114 Ridgefield Road, Lutherville, MD 21093
Patrick J. Connolly, Jr., 1305 Charmuth Road, Lutherville, MD 21093
Susan Shaffer, 119 Ridgefield Road, Lutherville, MD 21093

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property

located at 112 RIDGEFIELD RD

which is presently zoned DR 5.5

Deed Reference: 058231847 Tax Account # 0908005390

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)

1 B02.3.B to permit a side yard setback of 2.75 ft. and a sum of side yard setbacks of 10.75 ft. in lieu of the required 12 ft. and 20 ft, respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

I, or we, agree to pay expenses of above Administrative 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

Date

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

HERMANN SCHMID

Name - Type or Print

Hermann Schmid

Signature

ANNE SCHMID

Name - Type or Print

Anne Schmid

Signature

112 RIDGEFIELD RD 410 321-1357

Address

Telephone No.

LUTHERVILLE MD

21093

City

State

Zip Code

Representative to be Contacted:

HERMANN SCHMID

Name

112 RIDGEFIELD RD 410 321-1357

Address

Telephone No.

LUTHERVILLE MD

21093

City

State

Zip Code

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. 2012-0228-A

Reviewed By BH

Date

3/21/12

Estimated Filing Date

4/1/12

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 own and reside at 112 RIDGEFIELD RD
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed)

Removing this structure would pose a financial hardship for me.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Hermann Schmid
Signature

Signature

HERMANN SCHMID
Name- print or type

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 28th day of December, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Hermann Schmid
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Laura R. Karas
Name of Notary Public

4/15/15
Commission expires

PLACE SEAL HERE:



I attached the shed to the house due to sloping nature of the lot in the back. Not attaching the shed to the house and erecting the shed further back on the property would not be workable and would be out of place for the neighborhood. Immediate neighbors commented how well the shed blends in. In all of this I was not aware I was creating a zoning violation.

ZONING PROPERTY DESCRIPTION FOR: 112 Ridgefield RD

Beginning at a point on the NE side of Felton Rd which is 50' wide at the distance of 178' SE of the centerline of the nearest improved intersecting street, Felton Rd which is 50' wide.

Being lot #3 is the subdivision of Dulaney Village as recorded in Balto Co Plat Book #22, Folio #54, Block F containing 7200 sq. ft., located in the 9th Election District and 3rd Council District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No.

81368

Date:

3/21/12

PAID RECEIPT

BUSINESS ACTUAL TIME ISN
3/23/2012 3/21/2012 14:16:30 5

NO. 0003 WALKIN REOS LRD
RECEIPT # 581470 3/21/2012 OFLN

Dept 5 528 ZONING VERIFICATION
NO. 091368

Recpt Tot \$75.00

\$77.00 01

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6/50					75.00

Total: \$ 75.00

Rec

From:

Herman Schmid

For:

Administrative Variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

Item # 0228

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/30/2012

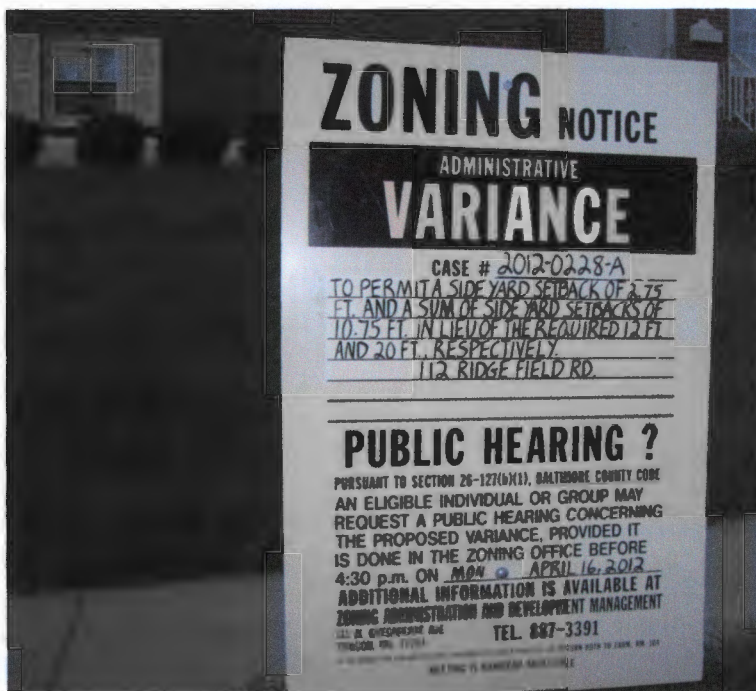
Case Number: 2012-0228-A

Petitioner / Developer: HERMAN SCHMID

Date of Hearing (Closing): APRIL 16, 2012

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
112 RIDGE FIELD ROAD

The sign(s) were posted on: **MARCH 29, 2012**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2012-0228-A

Address: 112 RIDGEFIELD ROAD

Petitioner(s): DULANEY VALLEY IMPROVEMENT ASSOC

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We MAXWELL R. COLLINS JR., ESQ.
Name - Type or Print ZONING COMMITTEE

() Legal Owner OR (☒) Resident of

P.O. BOX 102
Address

WATERVILLE, MD 21094-0102
City State Zip Code

LAW OFFICE 410-583-7977
Telephone Number

which is located approximately (COMM. ASSOC) feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

Maxwell R. Collins Jr. 13 APR 2012
Signature Date

Signature
Revised 9/18/98 - wcr/scj

Date

June 11, 2012

Baltimore County Maryland
Office of Administrative Law Judges
Office of Administrative Hearings
105 West Chesapeake Ave, Suite 103
Towson, MD 21204

RECEIVED

JUN 13 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Appeal Request
Case No: 2012-0228-A
Property: 112 Ridgefield Road

To Whom It May Concern:

This is to request an appeal to the variance denial of May 23, 2012 in regards to the above referenced case number. Since filing the original appeal we find that the original subdivision and recorded plats are governed by the rules that were in effect at that time.

The above case for variance as prepared used regulations that were in effect at the time the subdivision was recorded and the building permits were obtained. In fact, these regulations are no longer in effect and the zoning relief we are requesting should have been based on different criteria. In addition, if the variance were not to be approved as requested and since it was built in as an attachment to the house to make it more compatible with the architectural integrity of the community, it would be expensive and beyond our means to remove it and to replace it with a standalone facility.

It should also be noted that although the HOA expressed concern about approving this variance, that there are any number of outbuildings and sheds in the existing community that do not meet the same standards for setback that are being applied to this property.

For the above reasons we respectfully request an appeal to the above decision.

Sincerely,

Hermann F. Schmid

Hermann F. Schmid

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **74424**

Date: **6-13-12**

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					265.00

Total: **265.00**

Rec From: **HERMAN & ANNE SCHMID**

For: **2012-0228-A APPEAL FILING FEE**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTION TIME
 6/13/2012 6/13/2012 10:10:19
 NSM - BALTIMORE SHIP SAN
 RECEIPT # 531948 6/13/2012 0618
 Dept 5 528 ZONING VERIFICATION
 CR NO. 074424
 Recpt Tot \$265.00
 \$265.00 CR \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 05/01/2012

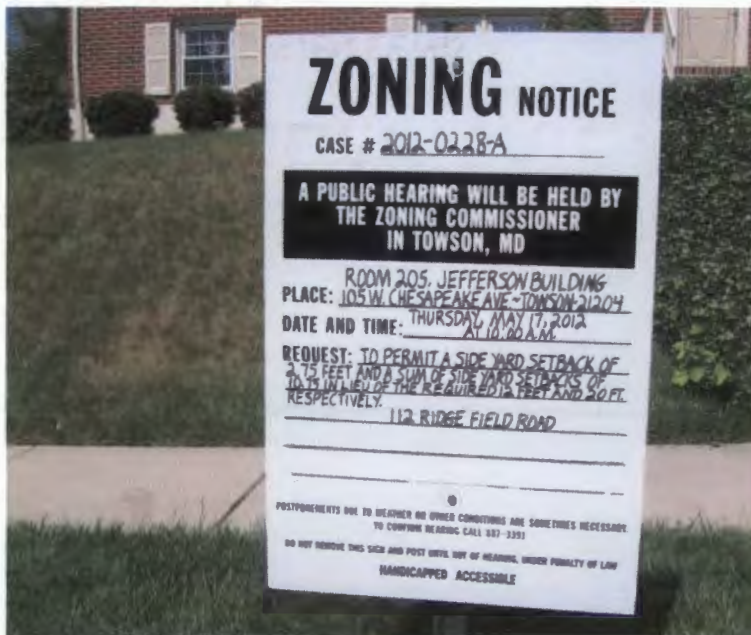
Case Number: 2012-0228-A

Petitioner / Developer: HERMAN SCHMID

Date of Hearing (Closing): MAY 17, 2012

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
112 RIDGE FIELD ROAD

The sign(s) were posted on: APRIL 29, 2012



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

**NOTICE OF ZONING
HEARING**

The Administrative Law Judge 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: # 2012-0228-A
112 Ridgely Road
NE/S Ridgely Road, 178
ft. SE centerline of Felton
Road
9th Election District
3rd Councilmanic District
Legal Owner(s): Hermann &
Anne Schmid

Variance: to permit a side
yard setback of 2.75 feet
and a sum of side yard set-
backs of 10.75 feet in lieu
of the required 12 feet and
20 feet, respectively.

Hearing: Thursday, May
17, 2012 at 10:00 a.m. in
Room 205, Jefferson
Building, 105 West Chesa-
peake Avenue, Towson
21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Administrative Hearings Of-
fice at (410) 887-3868.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JT/5/655 May 1 302956

CERTIFICATE OF PUBLICATION

5/3/, 2012

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 5/1/, 2012.

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

J. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 26, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0228-A

112 Ridgefield Road
NE/S Ridgefield Road, 178 ft. SE centerline of Felton Road
9th Election District – 3rd Councilmanic District
Legal Owners: Hermann & Anne Schmid

Variance to permit a side yard setback of 2.75 feet and a sum of side yard setbacks of 10.75 feet in lieu of the required 12 feet and 20 feet, respectively.

Hearing: Thursday, May 17, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Schmid, 112 Ridgefield Road, Lutherville 21093
Maxwell Collins, P.O. Box 102, Lutherville 21094

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 2, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 2, 2012 Issue - Jeffersonian

Please forward billing to:
Hermann Schmid
112 Ridgefield Road
Lutherville, MD 21093

410-321-1351

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0228-A

112 Ridgefield Road
NE/S Ridgefield Road, 178 ft. SE centerline of Felton Road
9th Election District – 3rd Councilmanic District
Legal Owners: Hermann & Anne Schmid

Variance to permit a side yard setback of 2.75 feet and a sum of side yard setbacks of 10.75 feet in lieu of the required 12 feet and 20 feet, respectively.

Hearing: Thursday, May 17, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2012-0228-A
Petitioner: x HERMANN SCHMID
Address or Location: y 112 RIDGEFIELD RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: x HERMANN SCHMID
Address: x 112 RIDGEFIELD RD
LUTHERVILLE, MD 21093
Telephone Number: x 410 321-1351

Revised 2/17/11 DT

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0228 -A Address 112 Ridge Field Rd.
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/21/12 Posting Date: 4/1/12 Closing Date: 4/16/12

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2012- 0228 -A Address 112 Ridge Field Rd.
Petitioner's Name Herman Schmid Telephone 410-321-1351

Posting Date: 4/1/12 Closing Date: 4/16/12

Wording for Sign: To Permit a side yard setback of 2.75' ft. and a sum
of side yard setbacks of 10.75 ft. in lieu of the required
12 ft. and 20 ft., respectively.

Revised 7/06/11



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

June 19, 2012

NOTICE OF ASSIGNMENT

CASE #: 12-228-A

IN THE MATTER OF: **Hermann and Anne B. Schmid**
Legal Owners /Petitioners
112 Ridgefield Rd / 9th Election District; 3rd Councilmanic District

Re: Petition for Administrative Variance to permit a side yard setback of 2.75 ft. and a sum of side yd setbacks of 10.75 ft, illo the req'd 12 ft. and 20 ft., respectively.- 1B02.3.B BCZR

5/23/12 - Findings of Fact and Conclusions of Law issued by ALJ, denying the Petitioners' requested relief.

ASSIGNED FOR: WEDNESDAY, AUGUST 1, 2012, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

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.

Theresa R. Shelton, Administrator

c: Petitioner/Legal Owner/Appellant	: Hermann and Anne B. Schmid
Counsel for Protestant	: Maxwell R. Collins, II, Esquire, Individually and for
Protestants	: Dulaney Valley Improvement Association : Robert A. Cordes, M.D. : Brad Potterfield : Patrick J. Connolly, Jr. : Susan Shaffer

Joyce T. O'Dwyer
Timothy Ruppalt

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

to be assigned



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 10, 2012

NOTICE OF POSTPONEMENT

CASE #: 12-228-A

IN THE MATTER OF: Hermann and Anne B. Schmid

Legal Owners /Petitioners

112 Ridgefield Rd / 9th Election District; 3rd Councilmanic District

Re: Petition for Administrative Variance to permit a side yard setback of 2.75 ft. and a sum of side yd setbacks of 10.75 ft. into the req'd 12 ft. and 20 ft., respectively.- 1B02.3.B BCZR

5/23/12 - Findings of Fact and Conclusions of Law issued by ALJ, denying the Petitioners' requested relief.

This matter was assigned for Wednesday, August, 2012 and has been postponed. The matter will be re-assigned to the first available date on the Board's docket, after August 6, 2012. Upon the date being established a Notice of Re-Assignment will be mailed to all parties.

TO BE RE-ASSIGNED.

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.

Theresa R. Shelton, Administrator

c:	Petitioner/Legal Owner/Appellant	: Hermann and Anne B. Schmid
	Counsel for Protestant	: J. Carroll Holzer
	Protestants	: Dulaney Valley Improvement Association
		: Robert A. Cordes, M.D.
		: Brad Potterfield
		: Patrick J. Connolly, Jr.
		: Susan Shaffer

Joyce T. O'Dwyer

Timothy Ruppalt

Maxwell R. Collins, II, Esquire

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 10, 2012

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286

Re: In the Matter of: HERMANN AND ANNE B. SCHMID
Case No.: 12-228-A

Dear Mr. Holzer:

I am in receipt of your entry of appearance and request for postponement dated June 28, 2012. This letter is to advise you that your request for a postponement of the hearing scheduled for August 1, 2012 has been granted.

The file has been noted, and all future notices and communications will be sent to you in this matter.

This matter will be re-assigned to the first available date after August 6, 2012.

The Notice of Postponement is enclosed.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script, reading "Theresa R. Shelton".

Theresa R. Shelton
Administrator

Enclosure: Notice of Postponement

cc (w/Encl.): Hermann and Anne B. Schmid, Legal Owners - Petitioners
Maxwell R. Collins, Esquire
Dulaney Valley Improvement Association, Inc.
Robert A. Cordes, M.D.
Brad Potterfield
Patrick J. Connolly, Jr.
Susan Shaffer



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

November 26, 2012
#8032

SENT VIA E-MAIL

Mitchell J. Kellman
Daft, McCune & Walker

*RE: Variance Hearing for Herman and Ann Schmid
112 Ridgefield Road
Case No.: 2012-0228-A
Hearing Date: Wednesday, December 5, 2012*

Dear Mitch:

I have consulted with my clients and they desire to get this matter resolved as quick as possible and therefore they regret they have to oppose the Postponement Request.

If you are asking the Board for a formal postponement, I would appreciate your sending me a copy of that request.

Thank you very much.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Carroll", written in dark ink.

J. Carroll Holzer

JCH:mlg

cc: Mr. Max Collins
Ms. Theresa Shelton

RECEIVED

NOV 28 2012

BALTIMORE COUNTY
BOARD OF APPEALS



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Handwritten: Ernest
Amended
10/16

October 3, 2012

NOTICE OF RE-ASSIGNMENT

CASE #: 12-228-A

IN THE MATTER OF: Hermann and Anne B. Schmid

Legal Owners /Petitioners

112 Ridgefield Rd / 9th Election District; 3rd Councilmanic District

Re: Petition for Administrative Variance to permit a side yard setback of 2.75 ft. and a sum of side yd setbacks of 10.75 ft. into the req'd 12 ft. and 20 ft., respectively.- 1B02.3.B BCZR

5/23/12 - Findings of Fact and Conclusions of Law issued by ALJ, denying the Petitioners' requested relief.

This matter was scheduled to be heard on August 1, 2012 and was postponed. The matter has been re-assigned, as agreed by Counsel and the parties, to the following date:

RE-ASSIGNED FOR: WEDNESDAY, DECEMBER 5, 2012, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

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.

Theresa R. Shelton, Administrator

c: Petitioner/Legal Owner/Appellant

: Hermann and Anne B. Schmid

Counsel for Protestant

: Maxwell R. Collins, II, Esquire,
Individually and for

Protestants

: Dulaney Valley Improvement Association

: Robert A. Cordes, M.D.

: Brad Potterfield

: Patrick J. Connolly, Jr.

: Susan Shaffer

Joyce T. O'Dwyer Timothy Ruppalt

Office of People's Counsel

Lawrence M. Stahl, Managing Administrative Judge

Andrea Van Arsdale, Director/Department of Planning

Nancy West, Assistant County Attorney

Michael Field, County Attorney, Office of Law

Handwritten: Corrected



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

October 16, 2012

AMENDED NOTICE OF RE-ASSIGNMENT **(AS TO COUNSEL FOR PROTESTANTS ONLY)**

CASE #: 12-228-A

IN THE MATTER OF: Hermann and Anne B. Schmid

Legal Owners /Petitioners

112 Ridgfield Rd / 9th Election District; 3rd Councilmanic District

Re: Petition for Administrative Variance to permit a side yard setback of 2.75 ft. and a sum of side yd setbacks of 10.75 ft, ilo the req'd 12 ft. and 20 ft., respectively. - 1B02.3.B BCZR

5/23/12 - Findings of Fact and Conclusions of Law issued by ALJ, denying the Petitioners' requested relief.

This matter was scheduled to be heard on August 1, 2012 and was postponed. The matter has been re-assigned, as agreed by Counsel and the parties, to the following date:

RE-ASSIGNED FOR: WEDNESDAY, DECEMBER 5, 2012, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

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

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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.

Theresa R. Shelton, Administrator

c: Petitioner/Legal Owner/Appellant

: Hermann and Anne B. Schmid

Counsel for Protestant
Protestants

: J. Carroll Holzer
: Dulaney Valley Improvement Association
(Maxwell R. Collins, II, Esquire- Representative)
: Robert A. Cordes, M.D.
: Brad Potterfield
: Patrick J. Connolly, Jr.
: Susan Shaffer

Joyce T. O'Dwyer

Timothy Ruppalt

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Nancy West, Assistant County Attorney

Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

as to delay

December 6, 2012

NOTICE OF DELIBERATION

CASE #: 12-228-A

**IN THE MATTER OF: Hermann and Anne B. Schmid
Legal Owners /Petitioners**

112 Ridgfield Rd / 9th Election District; 3rd Councilmanic District

Re: Petition for Administrative Variance to permit a side yard setback of 2.75 ft. and a sum of side yd setbacks of 10.75 ft, ilo the req'd 12 ft. and 20 ft., respectively.- 1B02.3.B BCZR

5/23/12 - Findings of Fact and Conclusions of Law issued by ALJ, denying the Petitioners' requested relief.

Having concluded this matter on 12/5/12 a public deliberation has been scheduled for the following:

DATE AND TIME: TUESDAY, JANUARY 3, 2013 at 1:00 p.m.

LOCATION : Jefferson Building - Second Floor - Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: 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.

Theresa R. Shelton
Administrator

c: Counsel for Petitioner/Legal Owner/Appellant	: James J. Doyle, Esquire
Petitioner/Legal Owner/Appellant	: Hermann and Anne B. Schmid
Counsel for Protestant	: J. Carroll Holzer
Protestants	: Dulaney Valley Improvement Association (Maxwell R. Collins, II, Esquire- Representative)
	: Robert A. Cordes, M.D.
	: Brad Potterfield
	: Patrick J. Connolly, Jr.
	: Susan Shaffer

Joyce T. O'Dwyer

Timothy Ruppalt

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Nancy West, Assistant County Attorney

Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 7, 2012

AMENDED NOTICE OF DELIBERATION **(AS TO DAY ONLY FROM TUESDAY TO THURSDAY)**

CASE #: 12-228-A

IN THE MATTER OF: Hermann and Anne B. Schmid

Legal Owners /Petitioners

112 Ridgely Rd / 9th Election District; 3rd Councilmanic District

Re: Petition for Administrative Variance to permit a side yard setback of 2.75 ft. and a sum of side yard setbacks of 10.75 ft., and the req'd 12 ft. and 20 ft., respectively.- 1B02.3.B BCZR

5/23/12 - Findings of Fact and Conclusions of Law issued by ALJ, denying the Petitioners' requested relief.

Having concluded this matter on 12/5/12 a public deliberation has been scheduled for the following:

DATE AND TIME: **THURSDAY, JANUARY 3, 2013 at 1:00 p.m.**

LOCATION : Jefferson Building - Second Floor - Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: 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.

Theresa R. Shelton
Administrator

c: Counsel for Petitioner/Legal Owner/Appellant
Petitioner/Legal Owner/Appellant

: James J. Doyle, Esquire
: Hermann and Anne B. Schmid

Counsel for Protestant
Protestants

: J. Carroll Holzer
: Dulaney Valley Improvement Association
(Maxwell R. Collins, II, Esquire- Representative)
: Robert A. Cordes, M.D.
: Brad Potterfield
: Patrick J. Connolly, Jr.
: Susan Shaffer

Joyce T. O'Dwyer

Timothy Ruppalt

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Nancy West, Assistant County Attorney

Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 9, 2012

Herman & Anne Schmid
112 Ridgefield Road
Lutherville, MD 21093

RE: Case Number: 2012-0228A, Address: 112 Ridgefield Road, 21093

Dear Ms. Conigliaro:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 21, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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 that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For April 09, 2012
Item Nos. 2012-222,224,225,226,227
And 228

DATE: March 30, 2012

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04092012-NO COMMENTS.doc

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 3-27-12

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

RE: Baltimore County
Item No 2012-0228-A
Administrative Variance
Herman Schmid
112 Ridge Field Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2012-0228-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

IN RE: PETITION OF

HERMANN SCHMID AND

ANNE SCHMID

112 RIDGEFIELD RD.

LUTHERVILLE, MD

*

*

*

*

*

BEFORE THE

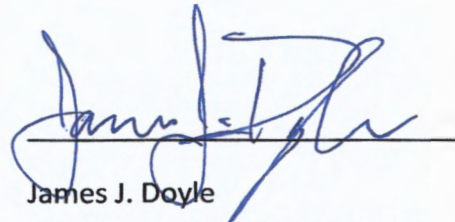
BALTIMORE COUNTY

BOARD OF APPEALS

CASE No. 12-228-A

ENTRY OF APPEARANCE

Please enter the appearance of below counsel on behalf of Hermann Schmid and Anne Schmid in the above matter.



James J. Doyle

212 Duke of Gloucester Street

Annapolis, MD 21401

410-814-7514



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@CAVTEL.NET

June 28, 2012
#8032

RECEIVED
JUN 29 2012

BALTIMORE COUNTY
BOARD OF APPEALS

Ms. Theresa R. Shelton, Administrator
County Board of Appeals
of Baltimore County
Jefferson Building
105 West Chesapeake Avenue
Second Floor, Suite 203
Towson, Maryland 21204

RE: *In the Matter of: Hermann and Anne B. Schmid, Legal Owners/Petitioners*
Case No.: 12-228-A

Dear Ms. Shelton:

I have received from Mr. Maxwell R. Collins a Notice of Assignment forwarded to him from the Board assigning the above-captioned case for Wednesday, August 1, 2012, at 10:00 a.m. before the Board. Mr. Collins is an attorney and did appear below before the Administrative Law Judge. However, he appeared as a Representative for the Community Association. He has asked me to represent the Community Association and Robert A. Cortes, Brad Potterfield, Patrick Connolly and Susan Shaffer in addition to the Dulaney Valley Improvement Association.

I am enclosing a copy of a letter from Mr. Collins stating his position and advising that he would like to withdraw his appearance before the Board as Counsel for all those parties. (See attached).

As you know, I have submitted to the Board, notification that I would be on vacation from Monday, July 23, 2012, through Monday, August 6, 2012, and would be unable to represent Mr. Collins and Dulaney Valley Improvement Association, *et al.* I would therefore respectfully request a postponement of that date to a date to be assigned later.

In the Notice that I have received, there appears to be no attorney for Mr. & Mrs. Schmid, the Petitioners, and therefore directing a copy of this letter to them at their home location.

Thank you very much for your cooperation and I am willing to discuss with you other dates.

Very truly yours,

J. Carroll Holzer

JCH:mlg

Enclosure

cc: Mr. & Mrs. Hermann Schmid



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

27 June 2012

J. Carroll Holzer, Esquire
508 Fairmont Avenue
Towson, MD 21286

**IN THE MATTER OF: Herman and Anne B. Schmid, Legal Owners/Petitioners
112 Ridgefield Rd/ 9th Election District; 3rd Councilmanic District
CASE #: 12-228-A**

Dear Mr. Holzer:

Pursuant to our consultation this morning, withdraw my name as counsel for the Association. At the hearing before Mr. Beverungen, I made it clear that I was not counsel for the Dulaney Valley Improvement Association, Inc.

As an officer of the association and member of the Zoning Committee, I attended the hearing in a representative capacity to present the Board's unanimous opposition to the requested variance.

Please enter your appearance for the Association.

Sincerely,

Maxwell R. Collins, II, Esquire
Treasurer and Member of the Zoning Committee

MRCII/bla

cc: Bradley W. Potterfield, Resident
J. O'Dwyer, President, DVIA
Patrick J. Connolly, Jr., Vice-President, DVIA
R.A. Cordes, MD, Member of the Board and Zoning Committee
Susan Shaffer, Member of the Board

APPEAL

Petition for Variance
112 Ridgefield Road
NE/side of Ridgefield Road, 178' SE c/line of Felton Road
9th Election District – 3rd Councilmanic District
Legal Owners: Hermann and Anne Schmid
Case No.: 2012-0228-A

- ✓ Petition for Administrative Variance (March 21, 2012) reviewed by BR – (2 Pages)
- ✓ Zoning Description of Property – (1 Page)
- ✓ Notice of Zoning Hearing for May 17, 2012, dated April 26, 2012 – (1 Page)
- ✓ Certification of Publication for May 17, 2012 – (The Jeffersonian – 5/01/12) – (1 Page)
- ✓ Certification of Posting for May 17, 2012 (Linda O'Keefe – April 29, 2012) – (1 Page)
- ✓ Entry of Appearance by People's Counsel – (None) – Administrative Variance)
- ✓ Petitioner(s) / Citizen(s) Sign-In Sheet – (1 Page) – Case Name & Case number incorrect
- ✓ State Department of Assessments and Taxation (SDAT) Data Sheet & Map – May 8, 2012 – (2 Pages)
- ✓ Letter to Hermann & Anne Schmidt from W. Carl Richards, Jr., dated April 9, 2012 – ZAC comments – (1 Page)
- ✓ Zoning Advisory Committee (ZAC) Comments:
 - ✓ 1 - Bureau of Development Plans Review – March 30, 2012 – (1 Page)
 - ✓ 2 - State Highway Administration – March 27, 2012 – (1 Page)
- ✓ Petitioner's Exhibits:
 - ✓ 1 - Site Plan - (1 Page)
 - ✓ 2 - Color Photo (facing street) - (1 Page)
 - ✓ 3 - Color Photo (facing house) – (1 Page)
 - ✓ 4 - Color Photo (rear of home) - (1 Pages)
- Protestant's Exhibits:
 - ✓ 1 - Dulaney Valley Improvement Association's Rule 8 Materials - (3 Pages)
 - ✓ 2 - Dulaney Valley Improvement Association's Resolution, dated May 14, 2012 – (1 Page)
 - ✓ 3 - Application for building permit – (6 Pages)
 - ✓ 4 - Computer printout – Application for building permit – (6 Pages)
 - ✓ 5 - Color Photo (facing house) – (1 Page)
 - ✓ 6 - Color Photo (sign posting) – (1 Page)
 - ✓ 7 - Dulaney Valley Improvement Association's Affidavit – (1 Page)

RECEIVED
JUN 18 2012

BALTIMORE COUNTY
BOARD OF APPEALS

Miscellaneous:

- ✓ County Miscellaneous Cash Receipt AND Letter from Hermann F. Schmid, received June 13, 2012 – Notice of Appeal – (2 Pages)
- ✓ Cover Letter and Administrative Law Judge's Opinion and Order, dated May 23, 2012 – (DENIED) – (4 Pages)
- ✓ Formal Demand for Hearing from Maxell Collins, Dulaney Valley Improvement Association, dated April 13, 2012 – (1 Page)

- ✓ Photos submitted from Petitioners when originally Administrative Variance – (2⁴ Photos, 1² Page)
- ✓ GIS Sheet from Zoning Review, PAI – (1 Page)
- ✓ Certificate of Posting for Administrative Variance - Closing Date of April 16, 2012 (Linda O'Keefe – March 29, 2012) – (1 Page)
- ✓ Administrative Variance Information Sheet and Dates from Zoning Review, PAI – (1 Page)

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director, Department of Permits, Approvals and Inspections

Date Sent: June 18, 2012

Counsel - James Doyle
Petitioner/Appellant:

Address List

Hermann and Anne Schmid
112 Ridgefield Road
Lutherville, MD 21093

Protestants:

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286

Dulaney Valley Improvement
Association, Inc.
P.O. Box 102
Lutherville, MD 21094

Robert A. Cordes, M.D.
1217 Oakcroft Drive
Lutherville, MD 21093

Brad Potterfield
114 Ridgefield Road
Lutherville, MD 21093

Interoffice:

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

Patrick J. Connolly, Jr.
1305 Charmuth Road
Lutherville, MD 21093

Susan Shaffer
119 Ridgefield Road
Lutherville, MD 21093

Interested Persons:

Joyce T. O'Dwyer
118 Belmore Road
Lutherville, MD 21093

Timothy Ruppalt
214 Felton Road
Lutherville, MD 21093

Maxwell R. Collins, II, Esquire
Treasurer and Member of
Dulaney Valley Improvement
Association, Inc.
11 Greenridge Road
Lutherville, MD 21093



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

June 18, 2012

Hermann F. Schmid
Anne B. Schmidt
112 Ridgefield Road
Lutherville, Maryland 21093

RECEIVED
JUN 18 2012

RE: APPEAL TO BOARD OF APPEALS
Case No. 2012-0228-A
Location: 112 Ridgefield Road

**BALTIMORE COUNTY
BOARD OF APPEALS**

Dear Mr. Schmid:

Please be advised that an appeal of the above-referenced case was filed in this Office on June 13, 2012. 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 contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to be "L. Stahl", written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals, and Inspections
Maxwell R. Collins, II, 11 Greenridge Road, Lutherville, MD 21093
Robert A. Cordes, M.D., 1217 Oakcroft Drive, Lutherville, MD 21093
Bradley W. Potterfield, 114 Ridgefield Road, Lutherville, MD 21093
Patrick J. Connolly, Jr., 1305 Charmuth Road, Lutherville, MD 21093
Susan Shaffer, 119 Ridgefield Road, Lutherville, MD 21093



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 28, 2012

Hermann and Anne Schmid
112 Ridgfield Road
Lutherville, MD 21093

RE: *In the Matter of: Hermann and Anne B. Schmid*
Case No. 12-228-A

Dear Mr. and Mrs. Schmid:

On September 27, 2012, Mr. Holzer telephoned this office and advised that he was not available on November 13 – 14, 2012 for a hearing on the above captioned matter. In checking his calendar against the Board's docket, it came to our attention that he would be available to proceed on Wednesday, December 5, 2012 @10:00 a.m. This date was open on the Board's docket and is tentatively being held.

The purpose of this letter is to inquire if you are available on that date.

Please contact this office upon receipt of this letter to confirm availability. If you are available, a Notice of Re-Assignment will be issued assigning this matter for Wednesday, December 5, 2012 @10:00 am.

Thanking you in advance for your time and assistance in the scheduling of this appeal. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

A handwritten signature in cursive script, reading "Theresa R. Shelton".

Theresa R. Shelton
Administrator

c: J. Carroll Holzer, Esquire

Schmid

OK

Hermann and Ar
112 Ridgefield F
Lutherville, MD

Dear Mr. and M

On Sep
available on N
his calendar ag
proceed on W
docket and is

The p

Please
available, a M
December 5,

Thanking you in advance
Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Theresa R. Shelton
Administrator

c: J. Carroll Holzer, Esquire

message



For T
From Mitch Kellman
Time 1pm Date 10/2
Phone 410-296-3333
☐ URGENT! Re: Schmid
12-228-A

He is working for
Schmid's.

Schmid's and he
are good with
12/5/12

He is hoping to
settle.

ised that he was not
matter. In checking
uld be available to
en on the Board's

date.

ilability. If you are
for Wednesday,

eduling of this appeal.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 4, 2012

J. Carroll Holzer, Esquire
508 Fairmount Avenue
Towson, MD 21286

Hermann and Anne Schmid
112 Ridgefield Road
Lutherville, MD 21093

RE: *In the Matter of: Hermann and Anne B. Schmid*
Case No. 12-228-A

Dear Mrs. Schmid and Messrs. Holzer and Schmid:

On July 10, 2012, this office granted a postponement of the hearing that was scheduled for August 1, 2012. This letter is to provide dates open on the Board's docket for the re-scheduling of this matter without conflict.

The Board sits on Tuesday, Wednesday and Thursday of each week. The docket is currently scheduled through the middle of November 2012. The following dates are open on the docket:

Tuesday, November 13, 2012 at 10:00; and
Wednesday, November 14, 2012 at 10:00 a.m.

Please contact this office upon receipt of this letter to confirm availability. Upon an agreed date being established by the parties, a Notice of Re-Assignment will be issued..

Thanking you in advance for your time and cooperation in this matter. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Theresa R. Shelton
Theresa R. Shelton
Administrator

Duplicate Original

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Herman and Anne B. Schmid

12-228-A

DATE: January 3, 2013

BOARD/PANEL: Wendell H. Grier, Chairman
Edward W. Crizer, Jr.
David L. Thurston

RECORDED BY: Theresa R. Shelton, Administrator

PURPOSE: To deliberate the following:

1. Petition for Variance to permit a side yard setback of 2.75 ft. and a sum of side yard setbacks of 10.75 ft., ilo the req'd 12 ft and 20 ft., respectively – 1B02.3.B (BCZR)
2. Is construction a shed or addition?
2. Is the property unique pursuant to the conditions set forth in Cromwell vs. Ward?

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The Board discussed the history of this matter. The Administrative Law Judge had previously denied the requested Petition for Variance.
- The 'shed' became an addition once it was attached to the house. Under the County definition a 'shed' is a moveable object. Variance needed for addition. Property must meet the 'unique' standard' for the variance.
- The Board reviewed the testimony and evidence presented at the hearing. Cromwell v. Ward requires that the land be "unique" in terms of shape, topography, environmental factors etc. The Board determined that there was nothing to determine that the property was unique.
- Even though the work was beautiful and the intention was to improve the property, under the statue the property is not unique and the Board is Bound by the statues and can not make exceptions.
- The Board determined that since the property fails on the uniqueness standard, they do not need to discuss the practical difficulty standard.

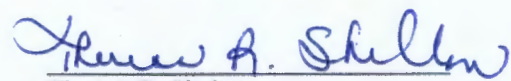
DECISION BY BOARD MEMBERS:

The property is not unique by the standards of Cromwell v. Ward.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to DENY the requested Variance.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above 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,


Theresa R. Shelton

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 09 Account Number - 0908005390

Owner Information

Owner Name: SCHMID ANNE B
SCHMID HERMANN
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 112 RIDGEFIELD RD
LUTHERVILLE MD 21093-6321
Deed Reference: 1) /05823/ 00847
2)

Location & Structure Information

Premises Address
112 RIDGEFIELD RD
0-0000

Legal Description

DULANEY VILLAGE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
0061	0020	0354		0000		F	3	2	Plat Ref:	0022/ 0054

Town NONE
Ad Valorem
Tax Class

Special Tax Areas

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1956	1,971 SF	7,200 SF	04

Stories	Basement	Type	Exterior
2.000000	NO	SPLIT LEVEL	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	121,200	121,200		
Improvements:	192,810	134,800		
Total:	314,010	256,000	256,000	256,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
PAGOTTO ANNE B	11/09/1977	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/05823/ 00847	

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:
Approved 09/09/2008

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: April 12, 2013

TO: David Duvall
Zoning Review Office
Permits, Approvals & Inspections

FROM: Sunny Cannington, Legal Secretary
Board of Appeals

SUBJECT: CLOSED APPEAL CASE FILES/CASES DISMISSED

The following cases have been closed as of the above date and are being returned to your office for storage.

<u>Case No:</u>	<u>Case Name:</u>
12-050-SPH	John and Irene Angelos (Large Exhibits attached)
12-228-A	Hermann and Anne Schmid
12-259-A	Wayne A. Sody

c: Arnold Jablon, Director/PAI
Michael Field, County Attorney
Nancy West, Assistant County Attorney

PLEASE PRINT CLEARLY

CASE NAME 397 Butler Rd.

CASE NUMBER 2012-0240-n

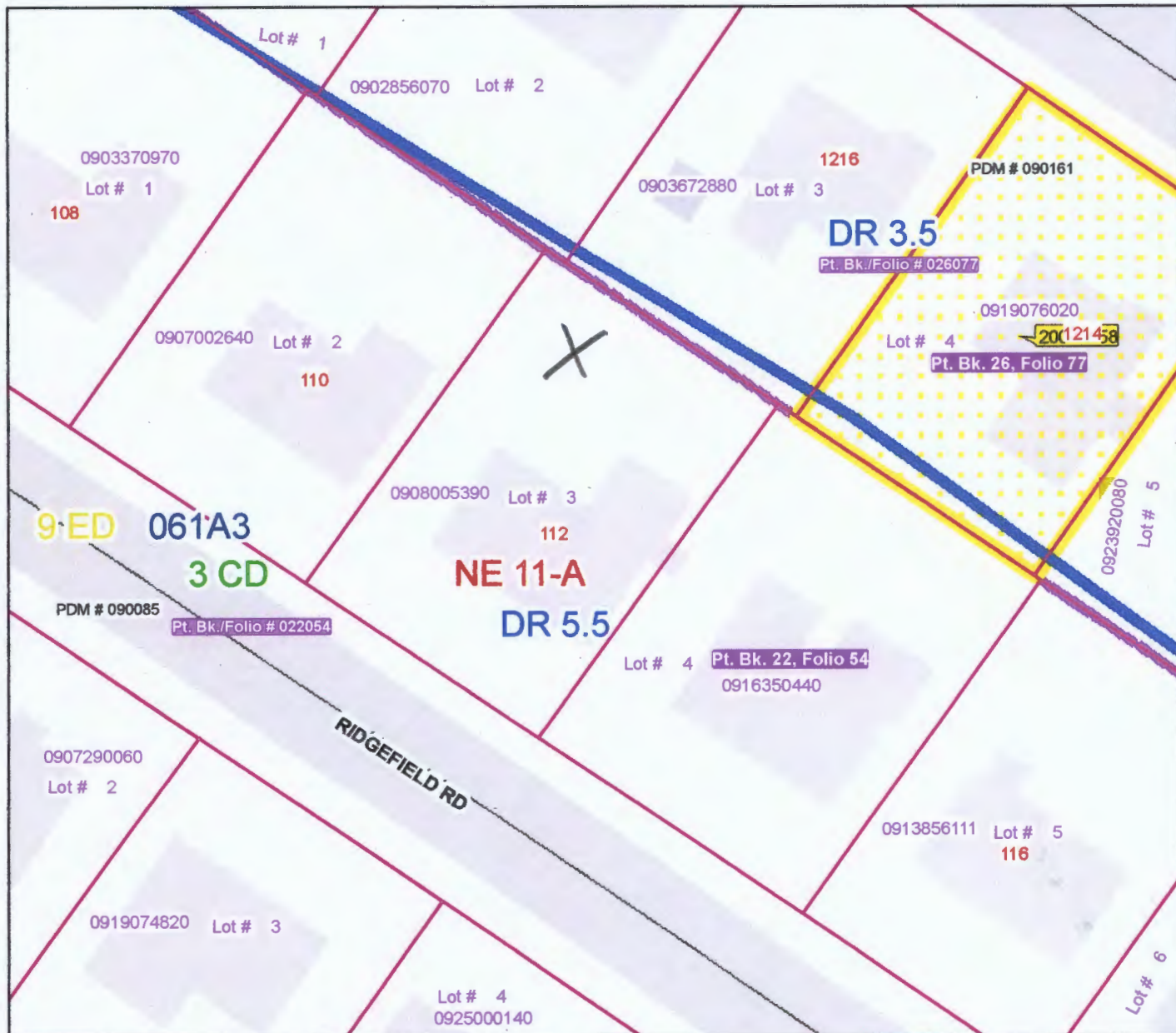
DATE 5-14-12

CITIZEN'S SIGN-IN SHEET

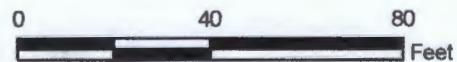
PETITIONER

[illegible]

112 Ridgefield Road



Publication Date: November 07, 2011
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

#0228





Case No.: 2012 - 228 - A

Exhibit Sheet

Petitioner/Developer

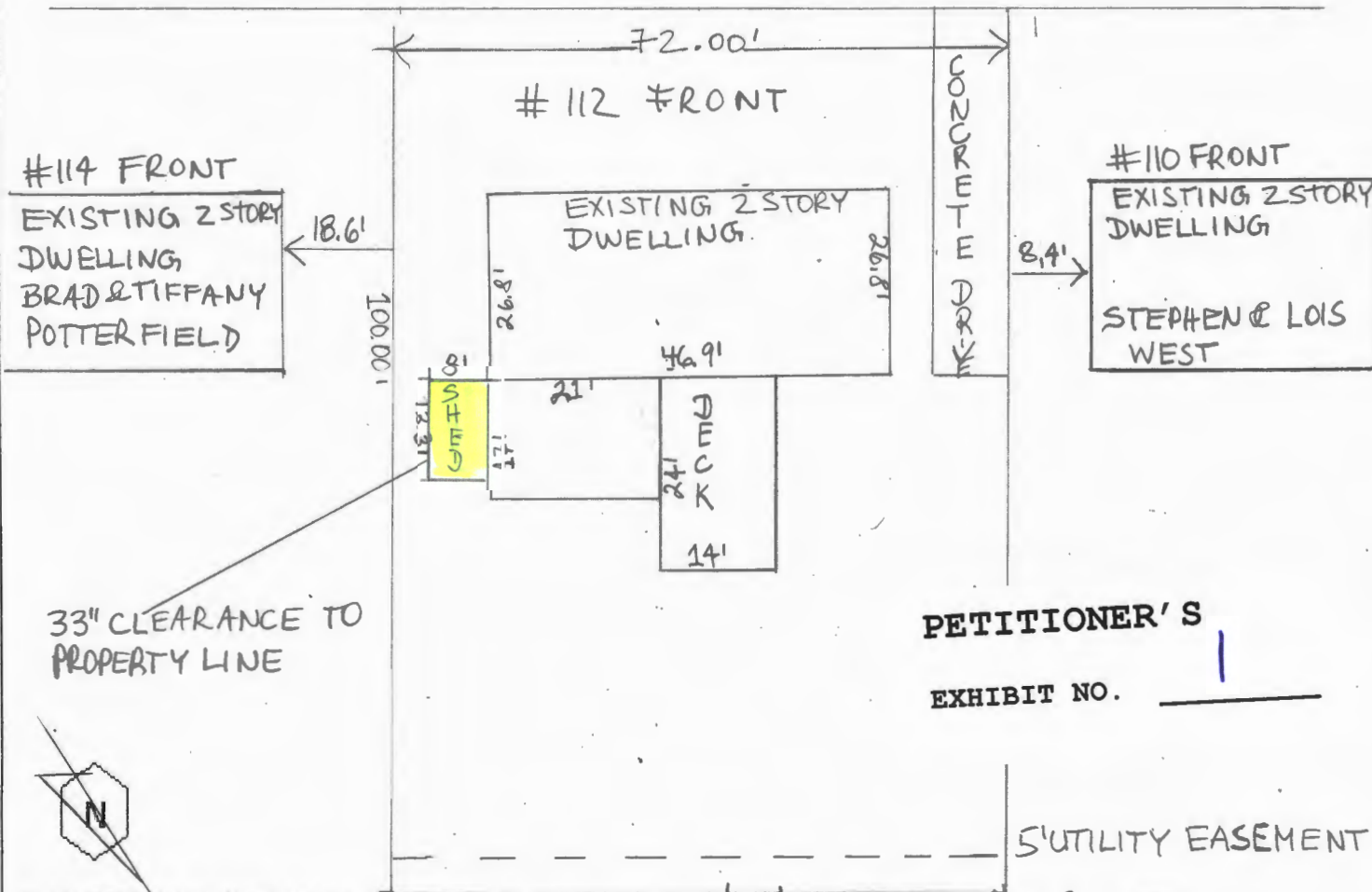
Protestant

No. 1	Site Plan	Dulaney Valley Improv. Ass'n. Rule 8 materials
No. 2	Color Photo - facing street	DVIA - Resolution dated 5-14-12
No. 3	Color Photo - facing house	Application for Bldg. Permit
No. 4	Color Photo - Rear of house	Computer printout - Application for Bldg. Permit
No. 5		Color Photo - facing house
No. 6		Color Photo re: sign posting
No. 7		DVIA Affidavit
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH ☒)
ADDRESS 112 RIDGE FIELD RD OWNER(S) NAME(S) HERMANN & ANNE SCHMID
SUBDIVISION NAME DULANEY VILLAGE LOT # 3 BLOCK # F SECTION # _____
PLAT BOOK # 22 FOLIO # 54 10 DIGIT TAX # 0908005390 DEED REF. # 05823100847

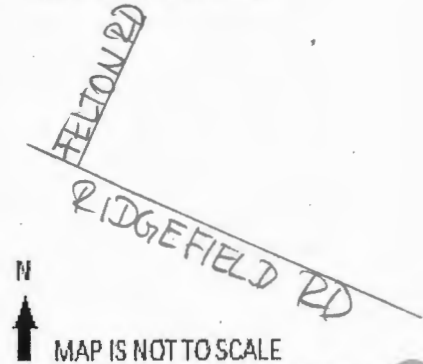
RIDGEFIELD RD

50 FT R/W



PLAN DRAWN BY HERMANN SCHMID DATE 11/03/11 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



ZONING MAP# 061A3
SITE ZONED DR 5.5
ELECTION DISTRICT 9th
COUNCIL DISTRICT 3rd
LOT AREA ACREAGE _____
OR SQUARE FEET 7200
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH ☒
WATER IS:
PUBLIC ☒ PRIVATE _____
SEWER IS:
PUBLIC ☒ PRIVATE _____
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



PETITIONER'S

EXHIBIT NO. _____

2



PETITIONER' S

EXHIBIT NO. 3



PETITIONER'S

4

EXHIBIT NO.

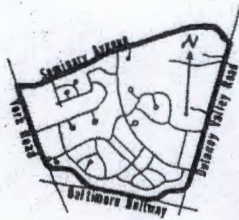
Case No.: 2012 - 228 - A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	Dulaney Valley Improv. Ass'n. Rule 8 materials
No. 2	Color Photo - facing street	DVIA - Resolution dated 5-14-12
No. 3	Color Photo - facing house	Application for Bldg. Permit
No. 4	Color Photo - Rear of home	Computer printout - Application for Bldg. Permit
No. 5		Color Photo - facing house
No. 6		Color Photo re: sign posting
No. 7		DVIA Affidavit
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

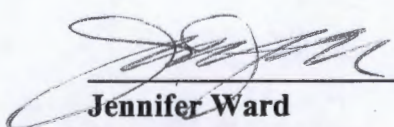
RESOLVED: At the May 14, 2012 board meeting of the Association, after a formal motion by Maxwell R. Collins, II, Esquire, by unanimous vote of the board, the responsibility for review and action on all zoning matters for the calendar year 2012, pursuant to Rule Eight of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, was placed in the Zoning Committee consisting of the following members, each of whom was authorized to testify on behalf of the Association before the County Board of Appeals or other duly constituted zoning agency, body, or commission:

Joyce T. O'Dwyer, President, 118 Belmore Road, Lutherville, MD 21093
Maxwell R. Collins, II, Esquire, Treasurer, 11 Greenridge Road, Lutherville, MD 21093
Robert Cordes, Board Member, 1217 Oakcroft Drive, Lutherville, MD 21093
Timothy Ruppalt, Board Member, 214 Felton Road, Lutherville, MD 21093

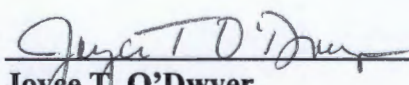
AS WITNESS OUR HANDS AND SEALS THIS 14 day May 2012.

ATTEST:

Dulaney Valley Improvement Association, Inc.



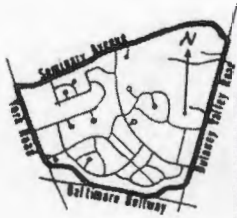
Jennifer Ward
Recording Secretary



Joyce T. O'Dwyer
President

PROTESTANT' S

EXHIBIT NO. 1



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

May 14, 2012

To Whom It May Concern:

Under the provisions of Rule Eight of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, the special rule pertaining to persons appearing before the Board as a representative of the Dulaney Valley Improvement Association, Inc., hereinafter "DVIA," be it known that the members elected below

Have an accurate knowledge of the number of members in the association and the geographic limits of "DVIA;"

Are authorized to speak for and present the views of "DVIA," and

Are currently duly elected officers or members of the Board of Directors of "DVIA" and have been given the responsibility for review and action on all zoning matters brought before the Board of Directors and are acting as the zoning committee for "DVIA."

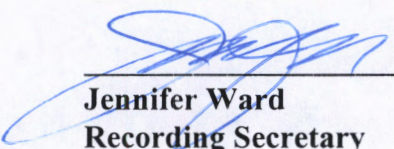
The members elected by formal resolution of the Board of Directors are:

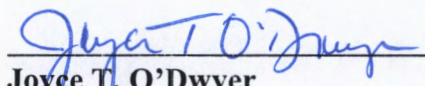
Joyce T. O'Dwyer, President, 118 Belmore Road, Lutherville, MD 21093
Maxwell R. Collins, II, Esquire, Treasurer, 11 Greenridge Road, Lutherville, MD 21093
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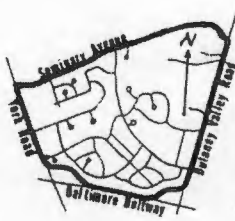
AS WITNESS OUR HANDS AND SEALS THIS 14 day May 2012.

ATTEST:

Dulaney Valley Improvement Association, Inc.


Jennifer Ward
Recording Secretary


Joyce T. O'Dwyer
President



**Dulaney
Valley
Improvement
Association, Inc.**

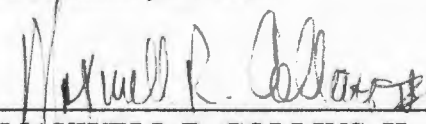
P.O. Box 102 · Lutherville, MD · 21094-0102

AFFIDAVIT

STATE OF MARYLAND *
 * SS
BALTIMORE COUNTY *

TO WIT:

I, **Maxwell R. Collins, II, Esquire**, solemnly affirm under the penalties of perjury and on personal knowledge that I am currently a duly elected Officer and member of the Zoning Committee of the Dulaney Valley Improvement Association, Inc. for the calendar year 2012.



MAXWELL R. COLLINS, II

ATTEST:

Dulaney Valley Improvement Association, Inc.

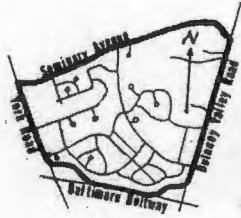


Jennifer Ward
Recording Secretary



Joyce T. O'Dwyer
President

DATE: 14 May 2012



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

May 14, 2012

RESOLVED: That the position of the Association as adopted by the Zoning Committee and by unanimous vote of the Board of Directors on the zoning matter known as

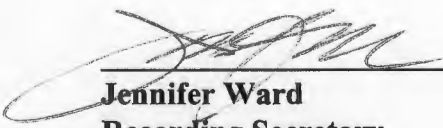
ZONING PETITION FOR 112 RIDGEFIELD for a variance to permit a change of a side yard setback of 2.75 feet and a sum of side yard setbacks of 10.75 feet in lieu of the required 12 feet and 20 feet, respectively

is that the Petition is **OPPOSED**.

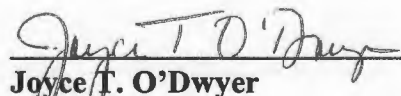
AS WITNESS OUR HANDS AND SEAL THIS 14 day of May 2012.

ATTEST:

Dulaney Valley Improvement Association, Inc.



Jennifer Ward
Recording Secretary



Joyce T. O'Dwyer
President

PROTESTANT' S

EXHIBIT NO. 2

Revision

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 5/2/11
DEA: 4/4/11
HISTORIC DISTRICT/BLOG.

PERMIT B-761037
RECEIPT A-638263
CONTROL #: MR
XREF #:

PROPERTY ADDRESS 112 Ridgely Rd YES NO
SUITE/SPACE/FLOOR
SUBDIV: Ridgely Village DO NOT KNOW
TAX ACCOUNT #: 0908 005390 DISTRICT/PRECINCT
OWNER'S INFORMATION (LAST, FIRST)
NAME: Schmidt, Anne B. and Hermann
ADDR: 112 Ridgely Rd. 21093-6321

FEE: \$8-
PAID: 68-
PAID BY: appl
INSPECTOR:

APPLICANT INFORMATION

NAME: Hermann Schmidt
COMPANY:
STREET: 112 Ridgely Rd
CITY, ST, ZIP: Towson, MD 21093
PHONE #: 410 321-1351 MHIC #
APPLICANT SIGNATURE: Hermann Schmidt DRON
PLANS: CONST PLOT PLAT DATA EL 1 PL 2
TENANT
CONTR: OWNER
ENGR:
SELLR:

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

TYPE FOUNDATION

1. SLAB
2. BLOCK
3. CONCRETE

BASEMENT

1. FULL
2. PARTIAL
3. NONE

DESCRIBE PROPOSED WORK: Revision. Change in
Const & site plans. Const 1-STRY
addn on rear of SFD r/B
20'x17' living room and 14'x24'
open deck w/ steps to grade.

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT
20. SWIMMING POOL SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE OF CONSTRUCTION

1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS
2. OIL
3. ELECTRICITY
4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER EXISTS PROPOSED
2. PRIVATE SYSTEM SEPTIC EXISTS PROPOSED
- PRIVY EXISTS PROPOSED

CENTRAL AIR: 1. 2.

ESTIMATED COST: \$35,000.00
OF MATERIALS AND LABOR

PROPOSED USE:
EXISTING USE:

OWNERSHIP

1. PRIVATELY OWNED
2. PUBLICLY OWNED
3. SALE
4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE

#FT: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS 6. MIDRISE

1 FAMILY BEDROOMS

GARBAGE DISPOSAL 1. Y 2. N BATHROOMS

POWDER ROOMS

KITCHENS

CLASS 04
LIBER 22 FOLIO 54

APPROVAL SIGNATURES

DATE

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 676 SF SIZE 7200 SF
WIDTH 24' FRONT STREET
DEPTH 24' SIDE STREET
HEIGHT FRONT SETBK NC
STORIES SIDE SETBK NC/NC
LOT # 3 SIDE STR SETBK
CORNER LOT REAR SETBK 23'
1. YES 2. NO ZONING DR S.5

BLD INSP: 5/2/11
BLD PLAN: 5/2/11
FIRE: 5/2/11
SEDI CTL: 5/2/11
ZONING: 5/2/11
PUB SERV: 5/2/11
ENVRMT: 5/2/11
PLANNING: 5/2/11
PERMITS: 5/2/11

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUND

PROTESTANT'S S

EXHIBIT NO. 3

APPLICATION FOR BUILDING PERMIT

PERMIT #: B761037 CONTROL #: MR DIST: 09 PREC: 01

LOCATION: 112 RIDGEFIELD RD
SUBDIVISION: DULANEY VILLAGE
TAX ASSESSMENT #: 0908005390

OWNERS INFORMATION

NAME: SCHMID, ANNE B AND HERMANN
ADDR: 112 RIDGEFIELD RD 21093-6321

APPLICANT INFORMATION

NAME: HERMANN SCHMID
COMPANY:
ADDR1: 112 RIDGEFIELD RD
ADDR2: LUTHERVILLE MD 21093
PHONE #: 410-321-1351 LICENSE #:

NOTES
AF/AF

DRC#

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM NO

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: REVISION CHNG IN CONST & SITE PLANS. CONST ONE-
STORY ADD'N ON REAR OF SFD T/B 20'X17'LIVINGRM
& 14'X24'OPEN DECK W/STEPS TO GRADE.
34'X24'=676SF. THIS PERMIT CANCELS B758409 AND
EXPIRES 3/24/12

PROPOSED USE: SFD & ADDITION
EXISTING USE: SFD

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

ESTIMATED COST OF MATERIAL AND LABOR: 35K

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PUBLIC EXIST

CONSTRUCTION:

CENTRAL AIR:

BASEMENT:

WATER: PUBLIC EXIST

FUEL:

SINGLE FAMILY UNITS

TOTAL 1 FAMILY BEDROOMS

MULTI FAMILY UNITS

EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:

NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:

TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS:

PROTESTANT' S

EXHIBIT NO. 4

PAGE 1 OF 2



PROTESTANT' S

EXHIBIT NO. 5



PROTESTANT' S

EXHIBIT NO. 6



**Dulaney
Valley
Improvement
Association, Inc.**

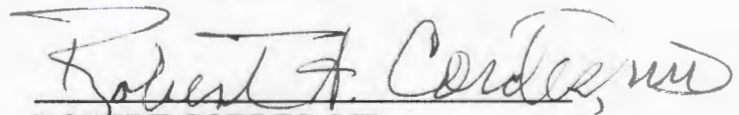
P.O. Box 102 · Lutherville, MD · 21094-0102

AFFIDAVIT

STATE OF MARYLAND *
* SS
BALTIMORE COUNTY *

TO WIT:

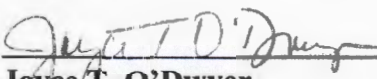
I, **Dr. Robert Cordes**, solemnly affirm under the penalties of perjury and on personal knowledge that I am currently a duly elected member of the Board of Directors and the Zoning Committee of the Dulaney Valley Improvement Association, Inc. for the calendar year 2012.


ROBERT CORDES, MD

ATTEST:

Dulaney Valley Improvement Association, Inc.


Jennifer Ward
Recording Secretary


Joyce T. O'Dwyer
President

DATE: 14 May 2012

PROTESTANT' S

EXHIBIT NO. 7

Case No: 12-228-A Case Name: Schmid

Exhibit List

Party: Schmid (Appellant) Date: 12/5/12

Exhibit No:	Description:
✓ 1	Diagram of property
✓ 2	Picture of subject Property
✓ 3	Picture of Backyard / Neighbor's shed
✓ 4	Picture of opposite side of house
✓ 5	Picture of Backyard / slope
✓ 6	Picture 121 Ridefield Rd - Red side shed
✓ 7	Picture 5 Felton Rd - smaller Red shed
✓ 8	Picture 1127 Long Brook Rd
✓ 9	Picture 1208 Oakcroft Rd
✓ 10	Six Letters & Supporting sheet
11	
✓ 11	Plat of Dulaney Village - Plat 1
✓ 12	Tenabre Approval of Set back - BCO Planning
✓ 13	Zoning Comm Policy manual
VERIFIED BY <u>hrs</u> DATE: <u>12/6/12</u>	

Case No: 12-228ACase Name: Schmid

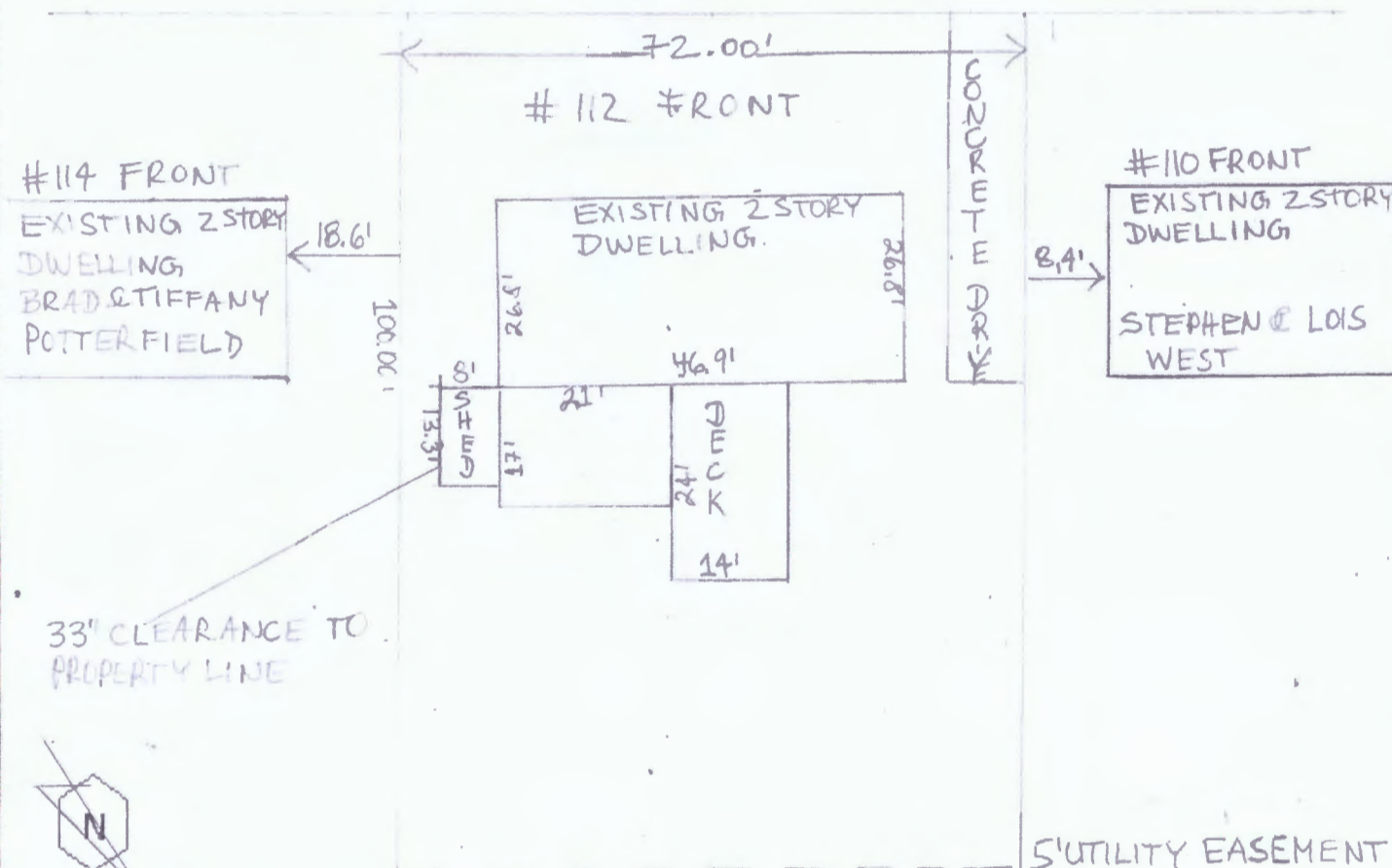
Exhibit List

Party: Schmid (Appellant)Date: 12/5/12

Exhibit No:	Description:
✓ 14	1955 Zoning Regulations - 7 foot set back
✓ 15	Expert Qualifications
✓ 16	Picture - Sloop of Front yard
✓ 17	Front / Shed side
✓ 18	Backyard - addition / shed
✓ 19	↓ Back of Shed
✓ 20	Case File Form Below
	VERIFIED BY <u>to</u> DATE: <u>12/6/12</u>

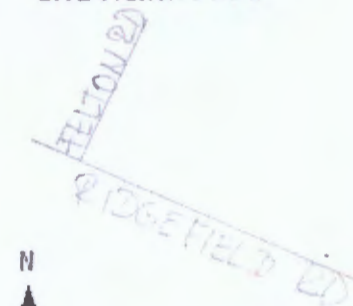
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH ☒)
 ADDRESS 112 RIDGE FIELD RD OWNER(S) NAME(S) HERMANN & ANNE SCHMID
 SUBDIVISION NAME DULANEY VILLAGE LOT # 3 BLOCK # F SECTION # _____
 PLAT BOOK # 22 FOLIO # 54 10 DIGIT TAX # 0908005390 DEED REF. # 5823100847

RIDGE FIELD RD 50 FT R/W



PLAN DRAWN BY HERMANN SCHMID DATE 11/03/11 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 06143
 SITE ZONED DR 5.5
 ELECTION DISTRICT 9th
 COUNCIL DISTRICT 3rd
 LOT AREA ACREAGE _____
 OR SQUARE FEET 7200
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH ☒
 WATER IS:
 PUBLIC ☒ PRIVATE _____
 SEWER IS:
 PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Appellant Z



Appellant 3



Appellant #4



Appellant 5



Appellant #6





Excellent 8



Appellant 9



Appellat 10

November 24, 2012

To Whom It May Concern,

We are very upset with what the Association is doing to our long-term neighbors Hermann and Anne Schmid.

The Schmid's did a great job of increasing the value of their property by the addition as well as the shed and in turn the value of properties in the immediate neighborhood benefit thanks to them.

We have no objection to their beautiful shed and expect the Association to stop harassing them. Instead, the Association needs to spend their time on the really important things like keeping our community safe and clean.

Awaiting good results for the Schmid's, we remain,

Sh. Bueyer
1214 Longford Rd.
Lutherville, MD 21093

November 24, 2012

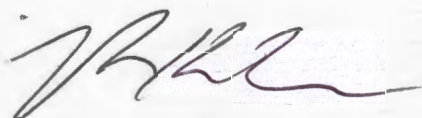
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Ed Wyrda

Legal Owners of
1216 Longford Road
Lutherville, MD 21093

November 24, 2012

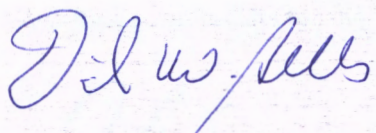
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Awaiting good results for the Schmid's, we remain,



DAVID W. SELLS

November 24, 2012

To Whom It May Concern,

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We have no objection to their beautiful shed and expect the Association to stop harassing them. Instead, the Association needs to spend their time on the really important things like keeping our community safe and clean.

Awaiting good results for the Schmid's, we remain,

Stephen J West 110 Rudgefield Rd. 12/2/12
Lois Jean West

PLANNING COMMISSION/BOARD APPROVED SUBDIVISIONS
(To Determine Zoning Regulations Applicable)

9th District

<u>Subdivision</u>	<u>Status</u>	<u>Date</u>
Dulaney Village	TA	3/4/55
Gaywood 13/36	40' rear yds, approved 8' & 9' decks on rear in line	can't find old plat
Harford Hills	Recorded	3/13/50
Hillendale - Sects 1,2,&3	TA	5/54
Joppa Manor	TA	'54
Kings Ridge	PCTA	1/13/55
Lochaven	Record PLAT	12/2/52
Loch Raven Manor	TA	7/19/56
Loch Raven Vlg. IX-15 17/105	PCTA	10/27/53
Northampton - Plat C	TA	7/8/53
Parkside Heights	TA	4/8/57
Silvergate Vlg. Addition 34/121	TA, No Devel Plan	'70
Towson Park - 968 Radcliffe Road 19/110	See Permit 28898, 40' rear	ok old regs

KNOLLWOOD AND OVERBROOK
WAS ON PLAT 13-125
NOW NO PLATBOOK #
BUT P.C. APPL JUNE 13, 1952

~~CE~~ P.C. APPL JUNE 13, 1952

6/13/52

1B02.3.B SETBACK REQUIREMENTS - PLANNING COMMISSION/BOARD APPROVED SUBDIVISIONS ONLY

ZONE (1971) (1955) (1945)(HOUSING TYPE)	TIME PERIOD	JAN. 2, 1949 to JULY 1, 1953				JULY 2, 1953 to MARCH 29, 1955				MARCH 30, 1955 to MARCH 30, 1971				MARCH 31, 1971 to PRESENT			
		FRONT	REAR	SIDE	CORNER (SIDE STREET)	FRONT	REAR	SIDE (Combined)	CORNER (SIDE STREET)	FRONT	REAR	SIDE (Combined)	CORNER (SIDE STREET)	FRONT	REAR	SIDE (Combined)	CORNER (SIDE STREET)
DR 1 R 40						25	20	7 (17)	40	50	50	20 (50)	50	50	50	20 (50)	-
DR 2 R 20						25	20	7 (17)	40	40	40	15	40	40	40	15 (40)	-
DR 3.5 R 10 A (1 or 2 FAMILY)		25	15	7	15	25	20	7 (17)	40	30	30	10 (25)	30	30	30	10 (25)	-
DR 5.5 R 6 B (SEMI-DETACHED)		25	15	7	15	25	20	7 (17)	40	25	30	8 (20)	25	25	30	10	-
DR 10.5 R.G. D (TOWN HOUSES)		25	25	10 END OF GROUP	25	25	50	15	-	25	50	15	-	10	50	10	-
DR 16 R.A. C (APARTMENTS)		55 TO 4'	20	7	-	25	25	7	15	25	50	15	-	10	30	25	-
		* FOR BLDGS. OVER 40 FT. HIGH ADD 4 INCHES FOR EACH FOOT OVER												** ONLY FOR SUBDIVISIONS WITH NO FDP			

1B02.3.B.1 - PARCELLING OR DIVIDING ALREADY DEVELOPED PROPERTY -
Parcelling or dividing developed property that is under one ownership and meets the overall density, would be permitted for mortgage purposes provided that:

- the ownership remains the same, and
- that the existing uses at the time of separation would not change in a way that would increase the overall density.

SECTION

1B02.3.C.1 APPLICABILITY - Any lot, or tract of lots in single ownership which is in a duly recorded subdivision plat not approved by the Baltimore County Planning Board or Planning Commission must also comply with this small lot table.

- SIDE STREET SETBACKS when the small lot table applies are the same as the required front yard setback. Averaging is not permitted on a side street setback.

3. Side Yard: There shall be a side yard not less than seven (7) feet in width along one side lot line and not less than ten (10) feet in width along the other side lot line except in case of a corner lot the side yard along the side street shall not be less than forty (40) feet from the center line of streets fifty (50) feet or less in width, nor less than fifteen (15) feet from the side property line of streets in excess of fifty (50) feet in width.

ADD to Section III, Paragraph C, a new paragraph to be known as Sub-paragraph No. 7, to read as follows:

Fences and Walls: The building line and yard requirements of these Regulations and Restrictions shall not apply to retaining walls or fences not over five (5) feet in height; except that on a corner lot in any residential zone, there shall be no fence, wall or structure, shrubbery, planting or other obstruction to vision having a height greater than three (3) feet six (6) inches above the curb level. Barbed wire is prohibited in the construction of any fence in a residential zone or other than agricultural area.

ADD to Section III, Paragraph A, sub-section No. 13 a new paragraph to be known as Section III, Paragraph A, sub-section No. 13, paragraph C, to read as follows:

In any residence zone a building permit for an accessory building or buildings may issue simultaneously with the permit for the dwelling or subsequent thereto.

SECTION IV - "B" RESIDENCE ZONE

AMEND Paragraph A, by deleting sub-paragraphs Nos. 2, 4, 5 and 6.

SECTION VI "D" RESIDENCE ZONE

AMEND Paragraph C, Sub-paragraphs Nos. 3, 4 and 5 to read as follows:

3. Side Yard: There shall be a side yard of not less than fifteen (15) feet along each side of each group of dwelling units except in case of a corner lot the side yard along the side street line shall not be less than twenty five (25) feet in width.
4. Rear Yard: There shall be a rear yard having a minimum depth of fifty (50) feet. Any fence, wall or hedge in the rear yard shall be at least thirteen (13) feet from the center line of the rear alley.
5. Accessory Buildings: Accessory buildings shall be permitted without restrictions as to setback from the property line except in the case of a house in a group at a street intersection, any accessory building shall have a minimum setback of twenty-five (25) feet from the side street line. Accessory buildings shall set back not less than thirteen (13) feet from the center line of the alley upon which the rear line of the lot abuts.

Area for single garage or parking space for one automobile shall be provided or each group house lot. Or a compound for parking space with sufficient area for one automobile for each group house shall be provided.

Appellant
15



DAFT MCCUNE WALKER INC

MITCHELL J. KELLMAN
DIRECTOR OF ZONING SERVICES

Education

Towson University, BA, Geography and Environmental Planning, Urban Planning
Towson University, Masters, Geography and Environmental Planning, Urban Planning

Professional Summary

Mr. Kellman has over 24 years of experience working in zoning, subdivision, and development regulations for the public and private sector; 12 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and the public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, Administrative Law Judges, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings. He is also a member of Baltimore County's Design Review Panel which formulates design recommendations to the Planning staff and Administrative Law Judges.

Partial List of Projects

Delight Quarry, Baltimore County, MD
Hunt Valley Business Community, Baltimore County, MD
Hunt Valley Towne Centre, Baltimore County, MD
Charlestown Retirement Community, Baltimore County, MD
GBMC, Baltimore County, MD
Goucher College, Baltimore County, MD
Greenspring Quarry, Baltimore County, MD
Hopewell Point, Baltimore County, MD
Loveton Business Center, Baltimore County, MD
Notre Dame Preparatory School, Baltimore County, MD
Oakcrest Village Retirement Community, Baltimore County, MD
Sheppard and Enoch Pratt Hospital, Baltimore County, MD
Sparks Corporate Center, Baltimore County, MD
Towson Town Center, Baltimore County, MD

Professional Experience

Daft-McCune-Walker, Inc., Towson, MD: 2000-Present
Baltimore County Office of Planning and Zoning, Permits and Development Management – Zoning Office, Development Control, 1988-2000
Baltimore County Design Review Panel, 2012
Greater Towson Committee, Planning and Development Sub-Committee, 2012







6/19



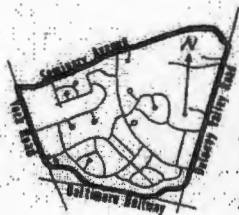
Case No: 12-228A Case Name: Schmid

Exhibit List

Party: Dolaney Valley (Protestant) Date: 12/5/12
Improvement Association, Incorporated

Exhibit No.	Description:
✓ 1	Rule 8 certification FOR ^{4 pages} OVIA, Inc.
✓ 2	Resume - James Patton
✓ 3	Application FOR Permit
✓ 4	Plat of ARSA
✓ 5- ^A / _B	Pictures of Aerial View
✓ 6	Picture of front yards of Ridgely
✓ 7	Photo of Schmid property
✓ 8	Photo of side of house
✓ 9	Photo - showing distance of structure to fence
✓ 10	Photo - Shows attachment of structure / roof line
✓ 11	Photo - driveway side Schmid property
✓ 12	Photo - Rear Picture of property
	VERIFIED BY <u>th</u> DATE: <u>12/12/12</u> <u>th</u>

Protestant



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

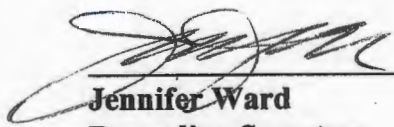
RESOLVED: At the May 14, 2012 board meeting of the Association, after a formal motion by Maxwell R. Collins, II, Esquire, by unanimous vote of the board, the responsibility for review and action on all zoning matters for the calendar year 2012, pursuant to Rule Eight of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, was placed in the Zoning Committee consisting of the following members, each of whom was authorized to testify on behalf of the Association before the County Board of Appeals or other duly constituted zoning agency, body, or commission:

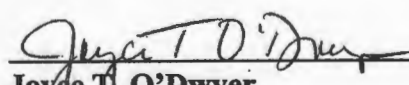
Joyce T. O'Dwyer, President, 118 Belmore Road, Lutherville, MD 21093
Maxwell R. Collins, II, Esquire, Treasurer, 11 Greenridge Road, Lutherville, MD 21093
Robert Cordes, Board Member, 1217 Oakcroft Drive, Lutherville, MD 21093
Timothy Ruppalt, Board Member, 214 Felton Road, Lutherville, MD 21093

AS WITNESS OUR HANDS AND SEALS THIS 14 day May 2012.

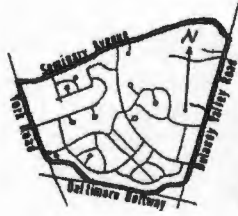
ATTEST:

Dulaney Valley Improvement Association, Inc.


Jennifer Ward
Recording Secretary


Joyce T. O'Dwyer
President

Protestant 1



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

May 14, 2012

To Whom It May Concern:

Under the provisions of Rule Eight of the Rules of Practice and Procedure of the Baltimore County Board of Appeals, the special rule pertaining to persons appearing before the Board as a representative of the Dulaney Valley Improvement Association, Inc., hereinafter "DVIA," be it known that the members elected below

Have an accurate knowledge of the number of members in the association and the geographic limits of "DVIA;"

Are authorized to speak for and present the views of "DVIA," and

Are currently duly elected officers or members of the Board of Directors of "DVIA" and have been given the responsibility for review and action on all zoning matters brought before the Board of Directors and are acting as the zoning committee for "DVIA."

The members elected by formal resolution of the Board of Directors are:

Joyce T. O'Dwyer, President, 118 Belmore Road, Lutherville, MD 21093

Maxwell R. Collins, II, Esquire, Treasurer, 11 Greenridge Road, Lutherville, MD 21093

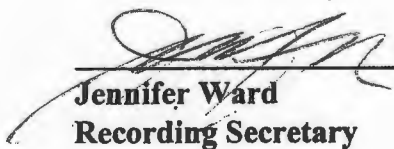
Robert Cordes, Board Member, 1217 Oakcroft Drive, Lutherville, MD 21093

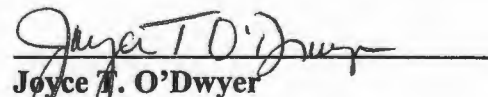
Timothy Ruppalt, Board Member, 214 Felton Road, Lutherville, MD 21093

AS WITNESS OUR HANDS AND SEALS THIS 14 day May 2012.

ATTEST:

Dulaney Valley Improvement Association, Inc.


Jennifer Ward
Recording Secretary


Joyce T. O'Dwyer
President

Protestant 1



**Dulaney
Valley
Improvement
Association, Inc.**

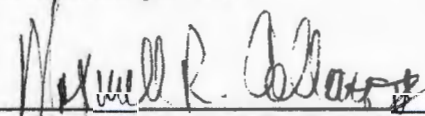
P.O. Box 102 · Lutherville, MD · 21094-0102

AFFIDAVIT

STATE OF MARYLAND *
* SS
BALTIMORE COUNTY *

TO WIT:

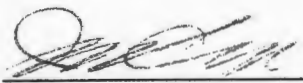
I, Maxwell R. Collins, II, Esquire, solemnly affirm under the penalties of perjury and on personal knowledge that I am currently a duly elected Officer and member of the Zoning Committee of the Dulaney Valley Improvement Association, Inc. for the calendar year 2012.



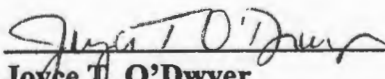
MAXWELL R. COLLINS, II

ATTEST:

Dulaney Valley Improvement Association, Inc.



Jennifer Ward
Recording Secretary



Joyce T. O'Dwyer
President

DATE: 14 May 2012

Protestant 1



**Dulaney
Valley
Improvement
Association, Inc.**

P.O. Box 102 · Lutherville, MD · 21094-0102

May 14, 2012

RESOLVED: That the position of the Association as adopted by the Zoning Committee and by unanimous vote of the Board of Directors on the zoning matter known as

ZONING PETITION FOR 112 RIDGEFIELD for a variance to permit a change of a side yard setback of 2.75 feet and a sum of side yard setbacks of 10.75 feet in lieu of the required 12 feet and 20 feet, respectively

is that the Petition is **OPPOSED**.

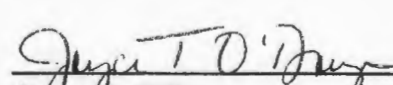
AS WITNESS OUR HANDS AND SEAL THIS 14 day of May 2012.

ATTEST:

Dulaney Valley Improvement Association, Inc.



Jennifer Ward
Recording Secretary



Joyce T. O'Dwyer
President

Protestant #2

RESUME

JAMES S. PATTON, PE, MCP, CRE

PRINCIPAL - PATTON CONSULTANTS, LTD.

Mr. Patton has forty five (45) years' experience in site engineering, site planning, land development consulting, development project management, and real estate counseling for a wide variety of public and private clients. His experience in the private sector has been in residential, commercial, and industrial site development and construction while providing services to corporations, developers, and private individuals. His public sector experience is very broad, as he served as an officer in the U. S. Navy Civil Engineer Corps, as City Engineer and Planner for Washington, PA, and as consultant, either as consulting planner or consulting engineer, to a number of municipalities and governmental agencies including Pittsburgh, PA; Wilmington, DE; New Castle County, DE; Bradford, PA; Fredonia, NY; Wheeling, WV; Wirt and Doddridge Counties, WV; Canonsburg, PA; South Hills Regional Planning Commission, PA; Mt. Lebanon Township, PA; Baltimore County, MD, Harford County, and the U.S. Fish and Wildlife Service. In addition, he has provided site engineering and planning services to many local school boards, hospitals, colleges, and institutions in their development and construction programs, either as a consultant or as a board member.

He has been responsible for projects ranging in size and scope from a few thousand square feet to areas of more than a thousand acres. These projects have included storm water management, water distribution, sanitary sewer, streets, roads, parking areas, grading, building construction, wetlands and critical areas, and erosion control. His background includes involvement with land development projects as manager, consultant, counselor, or expert witness relative to new development, expansion, restoration, renewal and revitalization.

Planning, detail design and plan preparation, approvals and obtaining permits for site development and construction is a major focus. The ability to overview the various elements of site development and building construction such as zoning, environmental concerns, and utilities has been and is an important function performed by Mr. Patton in obtaining approvals and expediting the development of a site or project through completion.

EDUCATION:

SWARTHMORE COLLEGE
UNIVERSITY OF PENNSYLVANIA

*Bachelor of Science, Civil Engineering
Master of City Planning*

LICENSES & CERTIFICATIONS:

PROFESSIONAL ENGINEER

*Maryland - #9493
Pennsylvania & West Virginia (inactive)*

EXPERT WITNESS

*Baltimore County Circuit Court;
Baltimore County District Court;
Board of Appeals and Zoning*

Revision

Protestant #

3

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 5/2/11
DEA: 9/11
HISTORIC DISTRICT/BLOG.

PERMIT 6761037
RECEIPT A-638263
CONTROL #: NR
XREF #:

PROPERTY ADDRESS 112 Ridgefield Rd YES ☐ NO ☐
SUITE/SPACE/FLOOR DO NOT KNOW
SUBDIV: Dulany Village
TAX ACCOUNT #: 0908005390 DISTRICT/PRECINCT 09
OWNER'S INFORMATION (LAST, FIRST)
NAME: Schmid, Anne B. & Herman
ADDR: 112 Ridgefield Rd 21093-632

FEE: \$8-
PAID: 68-
PAID BY: appl.
INSPECTOR:

APPLICANT INFORMATION
NAME: Herman Schmid

DOES THIS BLDG.
HAVE SPRINKLERS
YES ☐ NO ☐

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

COMPANY:
STREET 112 Ridgefield Rd
CITY, ST, ZIP Baltimore MD 21093
PHONE #: 410 321-1351 MHIC # _____

APPLICANT
SIGNATURE: Herman Schmid DRCH _____
PLANS: CONST _____ PLOT _____ PLAT _____ DATA _____ EL 1 FL 2
TENANT _____
CONTR: OWNER
ENGR: _____
SELLR: _____

- TYPE OF IMPROVEMENT
1. ☒ NEW BLDG CONST
 2. ☐ ADDITION
 3. ☐ ALTERATION
 4. ☐ REPAIR
 5. ☐ WRECKING
 6. ☐ MOVING
 7. ☐ OTHER _____

TYPE OF USE

RESIDENTIAL

01. ☒ ONE FAMILY
02. ☐ TWO FAMILY
03. ☐ THREE AND FOUR FAMILY
04. ☐ FIVE OR MORE FAMILY
(ENTER NO UNITS) _____
05. ☐ SWIMMING POOL
06. ☐ GARAGE
07. ☐ OTHER _____

TYPE FOUNDATION

1. ☐ SLAB
2. ☐ BLOCK
3. ☐ CONCRETE

BASEMENT

1. ☐ FULL
2. ☐ PARTIAL
3. ☐ NONE

DESCRIBE PROPOSED WORK: Revision. change in
Const & site plans. Const 1-STY
add'n on rear of SFD T/B
20'x17' living room and 14'x24'
open deck w/ steps to grade.
total 34'x24' = 676SF

08. ☐ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ☐ CHURCH, OTHER RELIGIOUS BUILDING
10. ☐ FENCE (LENGTH _____ HEIGHT _____)
11. ☐ INDUSTRIAL, STORAGE BUILDING
12. ☐ PARKING GARAGE
13. ☐ SERVICE STATION, REPAIR GARAGE
14. ☐ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ☐ OFFICE, BANK, PROFESSIONAL
16. ☐ PUBLIC UTILITY
17. ☐ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ☐ SIGN
19. ☐ STORE _____ MERCANTILE _____ RESTAURANT _____
SPECIFY TYPE _____
20. ☐ SWIMMING POOL
21. ☐ TANK, TOWER
22. ☐ TRANSIENT HOTEL, MOTEL (NO. UNITS _____)
23. ☐ OTHER _____

TYPE OF CONSTRUCTION

1. ☐ MASONRY
2. ☐ WOOD FRAME
3. ☐ STRUCTURE STEEL
4. ☐ REINF. CONCRETE

TYPE OF HEATING FUEL

1. ☐ GAS
2. ☐ OIL
3. ☐ ELECTRICITY
4. ☐ COAL

TYPE OF SEWAGE DISPOSAL

1. ☒ PUBLIC SEWER EXISTS ☐ PROPOSED
2. ☐ PRIVATE SYSTEM EXISTS ☐ PROPOSED
3. ☐ SEPTIC EXISTS ☐ PROPOSED
4. ☐ PRIVY EXISTS ☐ PROPOSED

CENTRAL AIR: 1. ☐ 2. ☐

ESTIMATED COST: \$10,000.00
OF MATERIALS AND LABOR

PROPOSED USE: SFD and add'n
EXISTING USE: _____

OWNERSHIP

1. ☒ PRIVATELY OWNED
2. ☐ PUBLICLY OWNED
3. ☐ SALE
4. ☐ RENTAL

RESIDENTIAL CATEGORY: 1. ☒ DETACHED 2. ☐ SEMI-DET. 3. ☐ GROUP 4. ☐ TOWNHSE 5. ☐ MIDRISE
#FT: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. ☐ MIRISE
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. ☐ Y 2. ☐ N BATHROOMS _____ CLASS 04
POWDER ROOMS _____ KITCHENS _____ LIBER 22 FOLIO 54

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 676SF SIZE 7200 SF
WIDTH 24' FRONT STREET _____
DEPTH 24' SIDE STREET _____
HEIGHT _____ FRONT SETBK NR
STORIES _____ SIDE SETBK NR
LOT #'S 3 SIDE STR SETBK _____
CORNER LOT _____ REAR SETBK 23'
1. ☐ YES 2. ☒ NO ZONING DR 5.5

APPROVAL SIGNATURES

DATE

BLD INSP: _____
BLD PLAN: W. PLANS 5/2/11
FIRE _____
SEDI CTL: _____
ZONING: 112 Ridgefield Rd 5/2/11
PUB SERV _____
ENVRNT _____
PLANNING _____
PERMITS _____

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

376

Protestant # 3



BALTIMORE COUNTY, MARYLAND

Department of Permits and Development Management

OWNER/CONTRACTOR AFFIDAVIT

DATE: 5/02/11 PERMIT: B761037

PROJECT: Addition / Deck

I/We hereby certify that I/We own the property located at: 112 Ridgefield Rd

and that Hermann Schmid (applicant) has my/our permission to apply for a permit for construction/use of the above project. I/we am/are aware that the Owner, Contractor, Tenant listed on the application assumes full responsibility for their own inspections. The Plumber and Electrician must call for their own inspections.

Note 1: I/we fully understand it is our responsibility to comply with the Baltimore County Building Code, if my/our property is located in a suspected flood prone area near a river or stream.

Note 2: I/We, understand it is our responsibility to keep all structures out of all recorded easements.

Note 3: I/We, owners of the property upon which construction/use is to take place, hereby, authorize the Department of Permits & Developmental Management Inspectors, its officers and employees, to enter upon the premises and into any building thereon for the purpose of inspecting the construction/use applied for herewith.

Note 4: The undersigned has the approval of any other owners to sign this affidavit.

Hermann Schmid

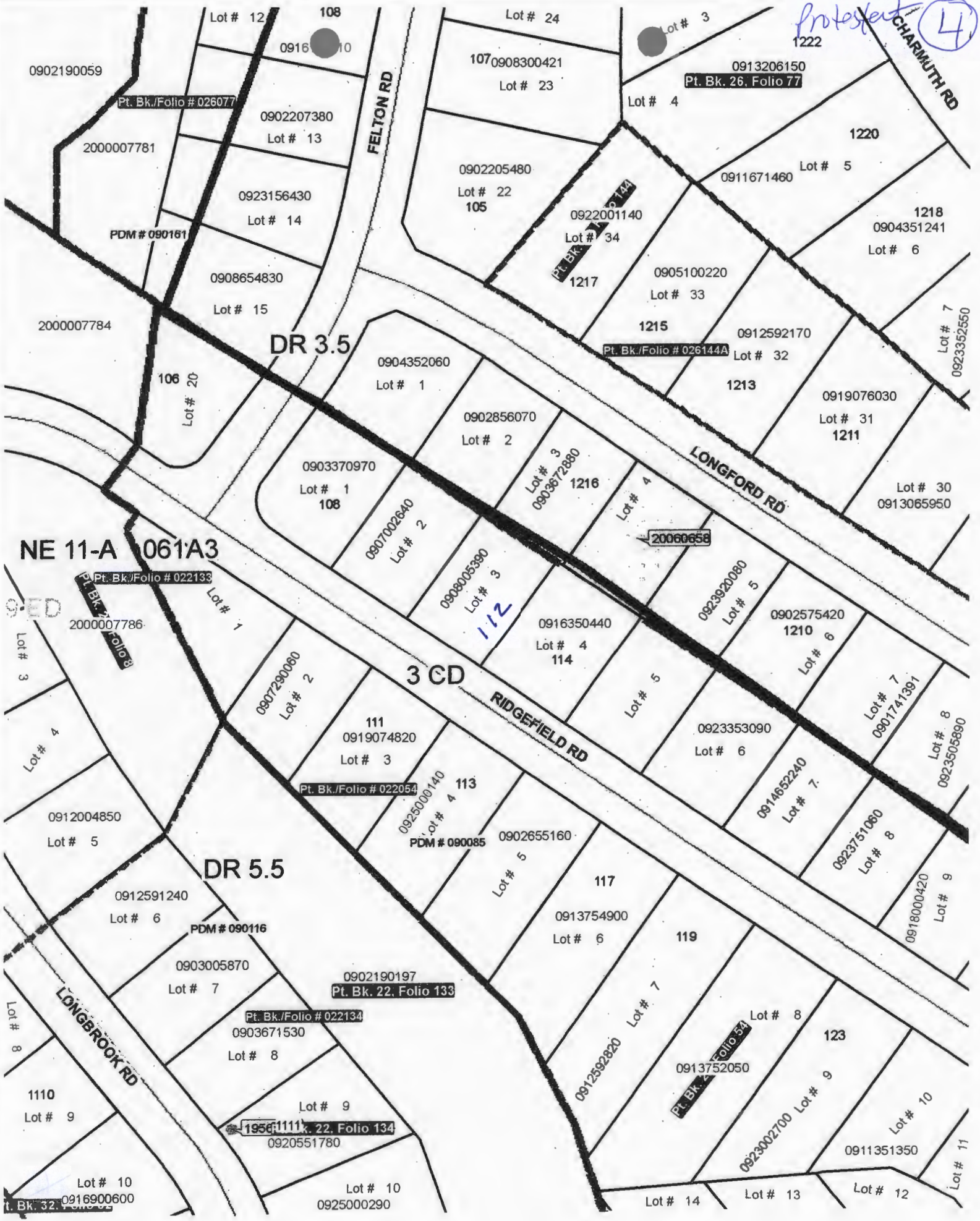
Property Owners Signature (If not owned by Corporation)

Corporate Name of Property Ownership (If applicable)

Corporation Address (If applicable)

Corporate Officers Signature and Position or Property Manager

**This office does not enforce covenants or deed restrictions and it is the owner's, builder's and/or developer's responsibility to make sure the covenants and/or deed restrictions are not being violated as a result of the issuance of this permit.



protest (4)

0902190059

Pt. Bk./Folio # 026077

0902207380
Lot # 13

2000007781

0923156430
Lot # 14

PDM # 090161

0908654830
Lot # 15

2000007784

DR 3.5

0904352060
Lot # 1

0902856070
Lot # 2

0903370970
Lot # 1
108

0907002640
Lot # 2

0908005390
Lot # 3
112

0903672880
Lot # 3
1216

0916350440
Lot # 4
114

LONGFORD RD

20060658

0923920080
Lot # 5

0902575420
Lot # 6
1210

0923353090
Lot # 6

0914652240
Lot # 7

0901741391
Lot # 7

0923751080
Lot # 8

0918000420
Lot # 9

0923505890
Lot # 8

NE 11-A 061A3

Pt. Bk./Folio # 022133

2000007786

Lot # 3

Lot # 4

0912004850
Lot # 5

DR 5.5

0912591240
Lot # 6

PDM # 090116

0903005870
Lot # 7

Pt. Bk./Folio # 022134
0903671530
Lot # 8

0902190197
Pt. Bk. 22, Folio 133

1956 1111 Pt. Bk. 22, Folio 134
0920551780
Lot # 9

Lot # 9

1110
Lot # 9

Lot # 10
0916900600

Lot # 10
0925000290

0913754900
Lot # 6

119

0912592820
Lot # 7

0913752050
Pt. Bk. 22, Folio 54

Lot # 8

0923002700
Lot # 9

0911351350

Lot # 14

Lot # 13

Lot # 12

Lot # 10

Lot # 11

P-5A



P. SB

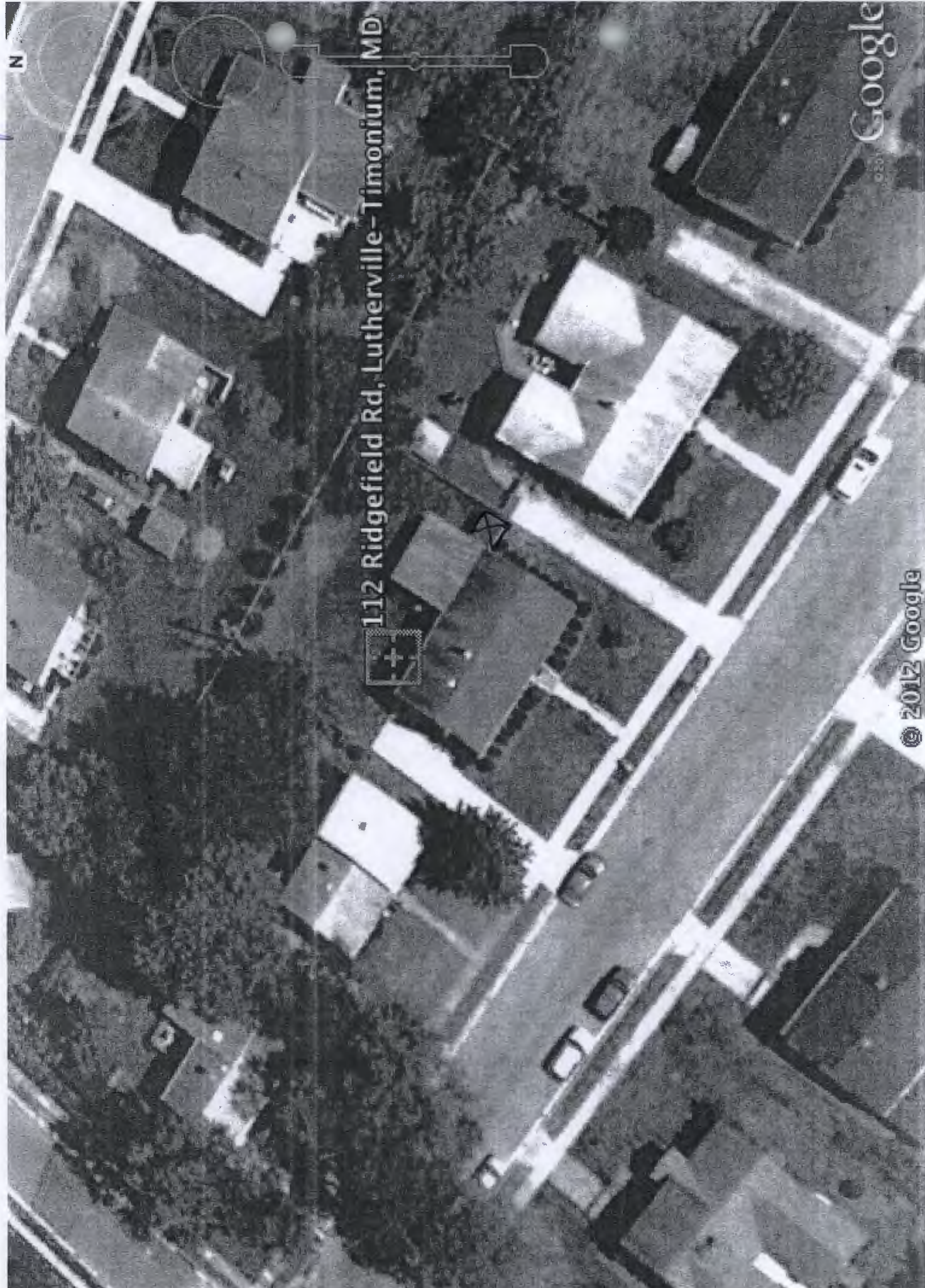


112 Ridgely Rd, Lutherville-Timonium, MD 21093, U

Google

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P-4



1112 Ridgely Rd, Lutherville-Timonium, MD

Google

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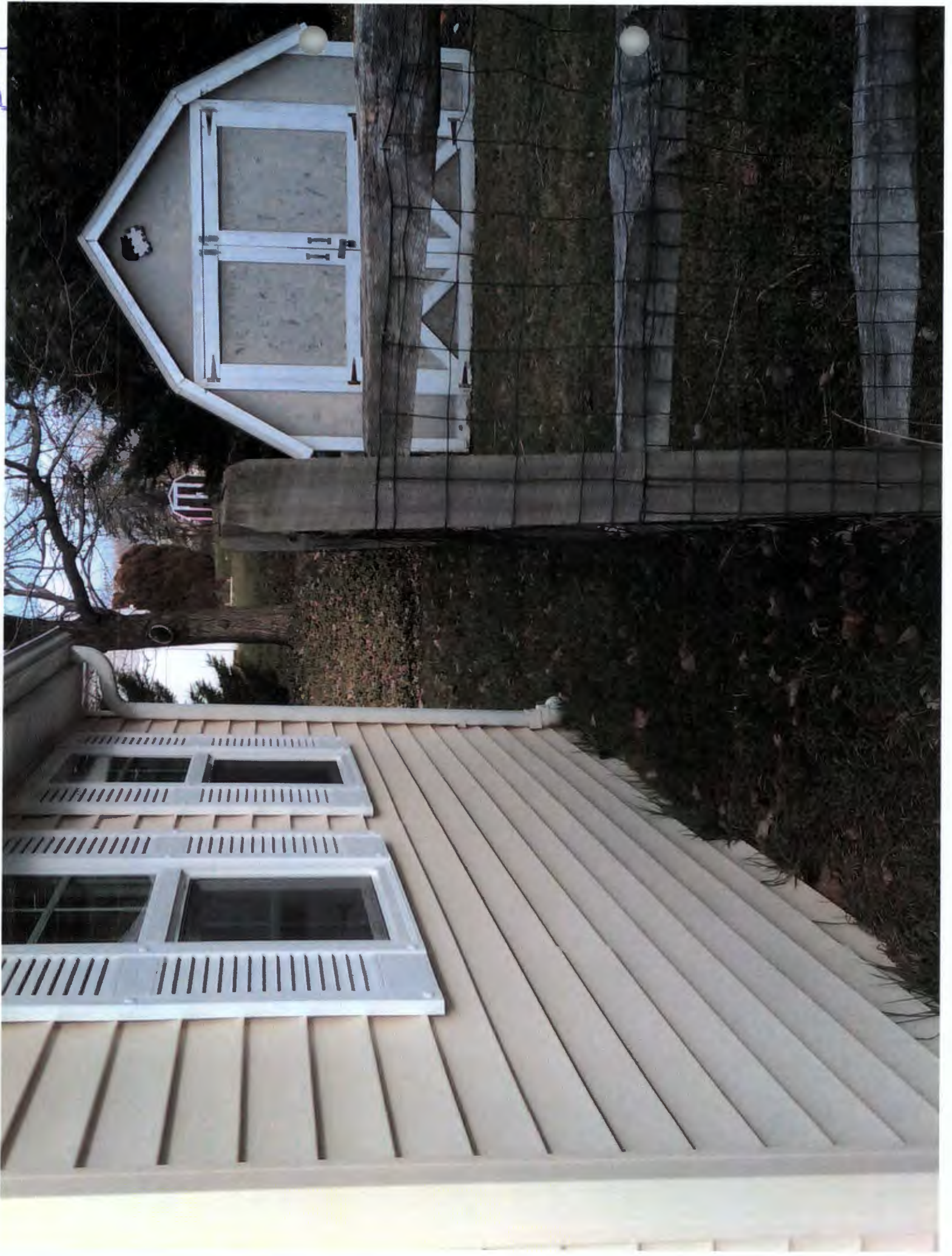
P 6







P-9





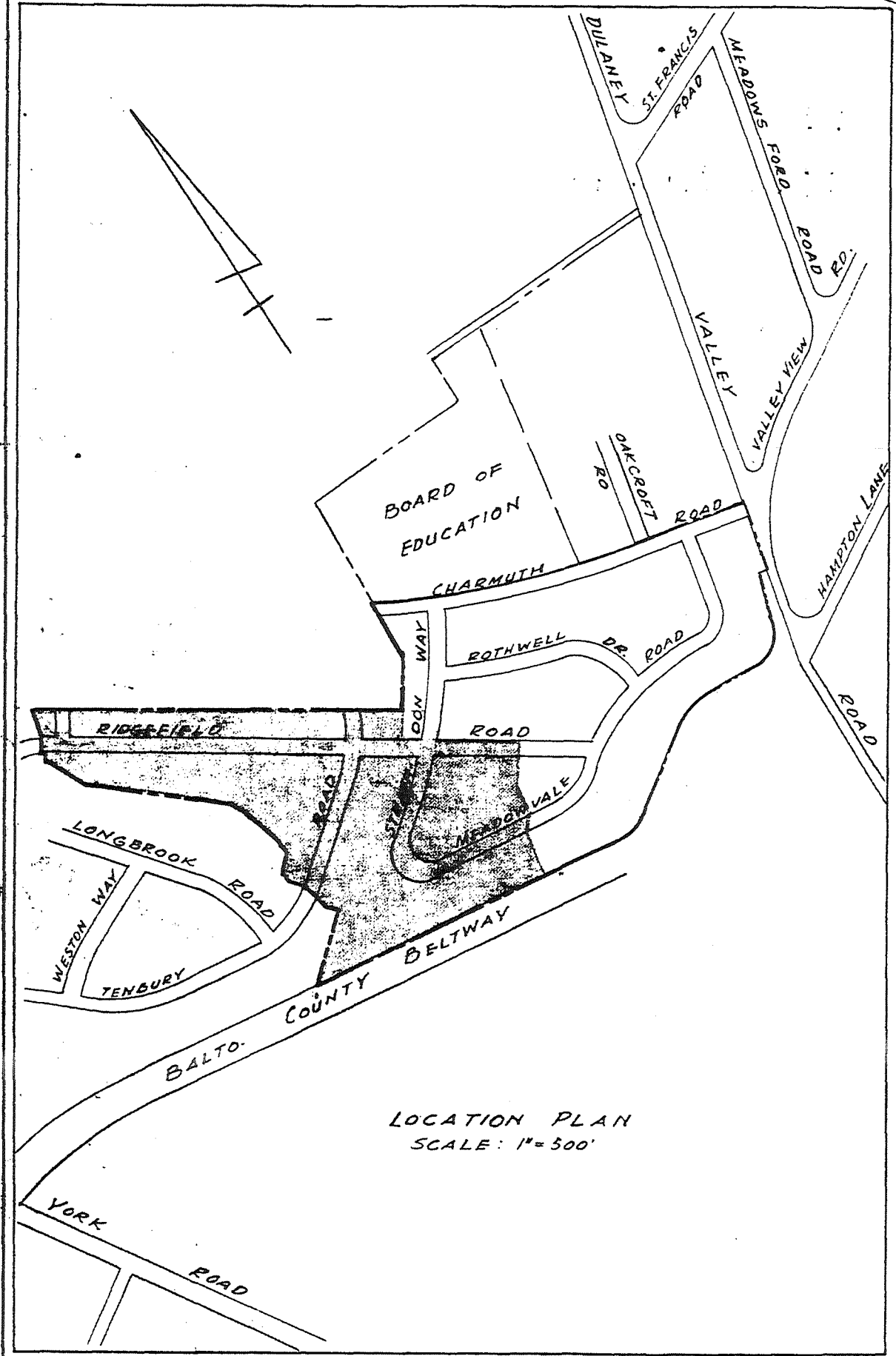
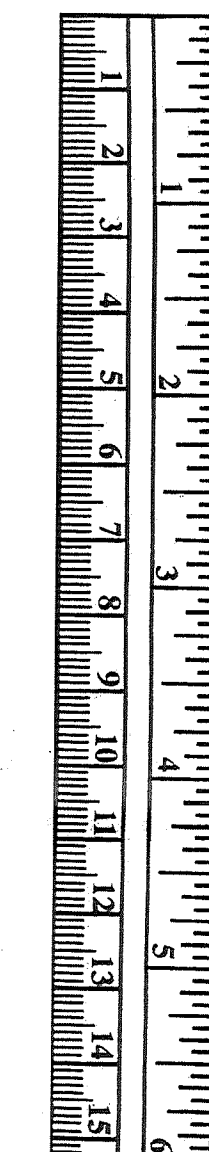
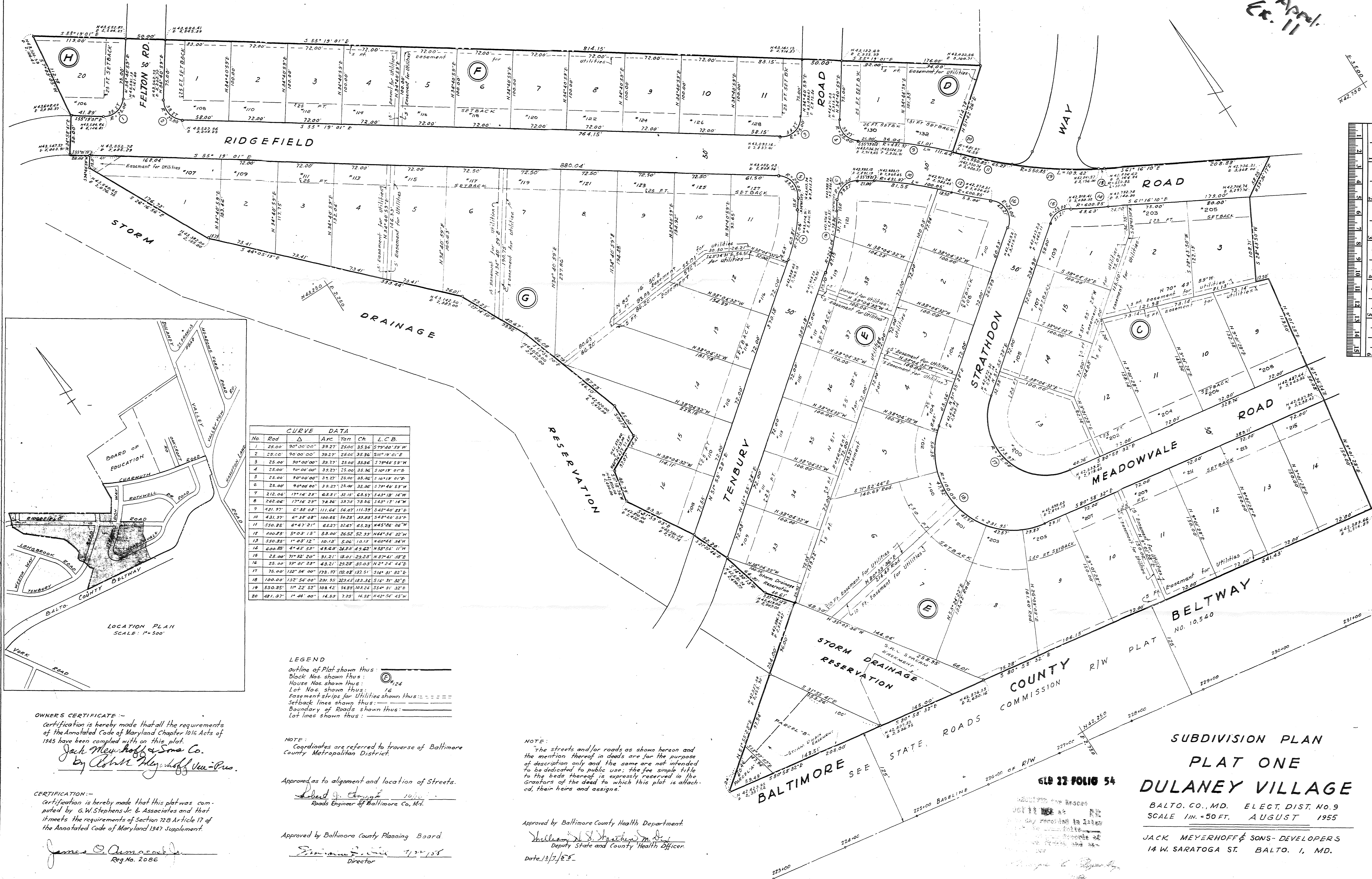
11-11-11



P-12



Ex. 11



CURVE DATA					
No.	Rad.	Δ	Avg. Tan.	Ch.	L.C.B.
1	25.00	90°00'00"	39.27	25.00	57°40'59"W
2	25.00	90°00'00"	39.27	25.00	57°40'59"W
3	25.00	90°00'00"	39.27	25.00	57°40'59"W
4	25.00	90°00'00"	39.27	25.00	57°40'59"W
5	25.00	90°00'00"	39.27	25.00	57°40'59"W
6	25.00	90°00'00"	39.27	25.00	57°40'59"W
7	212.06	17°14'23"	6.881	32.15	63.57
8	262.06	17°14'23"	7.826	39.78	78.56
9	481.97	6°38'08"	111.64	56.07	111.35
10	431.97	6°38'08"	100.08	50.25	99.88
11	550.85	6°47'21"	6.627	32.67	65.23
12	600.85	5°03'15"	53.00	26.52	52.39
13	550.85	1°03'12"	10.13	5.06	10.13
14	600.85	4°43'58"	49.68	24.88	49.62
15	25.00	71°32'20"	31.21	18.01	28.23
16	25.00	99°01'23"	43.21	28.28	35.03
17	75.00	132°54'00"	173.37	102.08	137.51
18	100.00	132°54'00"	231.55	133.36	174.31
19	550.85	11°22'52"	108.42	54.85	103.24
20	481.97	1°44'00"	14.84	7.29	14.84

LEGEND
outline of Plot shown thus:
Block Nos. shown thus:
House Nos. shown thus:
Lot Nos. shown thus:
Easement strips for Utilities shown thus:
Setback lines shown thus:
Boundary of Roads shown thus:
Lot lines shown thus:

OWNERS CERTIFICATE
Certification is hereby made that all the requirements of the Annotated Code of Maryland Chapter 1016 Acts of 1945 have been complied with on this plat.
Jack Meyerhoff & Sons Co.
by John Meyerhoff Vice-Pres.

CERTIFICATION
Certification is hereby made that this plat was computed by G.W. Stephens Jr. & Associates and that it meets the requirements of Section 72B Article 17 of the Annotated Code of Maryland 1947 Supplement.

James O. Amacovich
Reg. No. 2086

NOTE
Coordinates are referred to traverse of Baltimore County Metropolitan District.

Approved as to alignment and location of Streets.
Robert J. Chapple
Roads Engineer of Baltimore Co., Md.

Approved by Baltimore County Planning Board
Frederick J. Smith
Director

NOTE
The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the Grantors of the deed to which this plat is attached, their heirs and assigns.

Approved by Baltimore County Health Department.
William D. S. Hatcher, M.D.
Deputy State and County Health Officer
Date 10/7/55

SUBDIVISION PLAN PLAT ONE DULANEY VILLAGE

BALTO. CO., MD. ELECT. DIST. NO. 9
SCALE 1/4" = 50 FT. AUGUST 1955
JACK MEYERHOFF & SONS - DEVELOPERS
14 W. SARATOGA ST. BALTO. 1, MD.