

IN RE: PETITION FOR VARIANCE
(3003 Benson Mill Road)
5th Election District
3rd Councilman District
Robert J. Schmid
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2014-0147-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Robert J. Schmid, the legal owner of the subject property. The Petitioner is requesting variance relief from Sections 104.2, 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the replacement of an existing non-conforming detached accessory structure (storage shed) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 ft. in lieu of the required rear yard, the third of the lot farthest removed, and the maximum allowed height of 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request was Robert Schmid. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance and the file does not contain any letters of opposition. In fact, Mr. Schmid submitted a petition signed by each of his neighbors, expressing support for the request. Exhibit 2.

There were no Zoning Advisory Committee (ZAC) comments received from any of the County agencies.

ORDER RECEIVED FOR FILING

Date 3-26-14

By RSJ

Testimony and evidence revealed that the subject property is approximately 2.343 acres and is zoned RC 2. The property is improved with a single family dwelling, garage and large shed, which is the subject of this case. The file contains photos which reveal the shed in a state of disrepair, and could be at risk of collapse. Exhibit 3. The B.C.Z.R., in my opinion, would permit the reconstruction of this shed (in the same location and with the same dimensions) without zoning relief. Even so, the Petitioner was instructed to seek variance relief, which led to the filing of this Petition.

Based upon the testimony and evidence presented, I will grant the petition for variance. 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.

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

Petitioner has met this test. The subject property is of irregular dimensions, and is therefore unique.

If the B.C.Z.R. were strictly interpreted, the Petitioner would indeed suffer a practical difficulty, given he would be unable to reconstruct the shed which has existed on site for many years. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County agency opposition, and the support of Petitioner's neighbors.

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

ORDER RECEIVED FOR FILING

Date 3-26-14

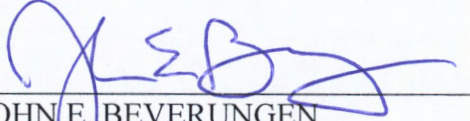
By 1003

THEREFORE, IT IS ORDERED, this 26th day of March, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Sections 104.2, 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the replacement of an existing non-conforming detached accessory structure (storage shed) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 ft. in lieu of the required rear yard, the third of the lot farthest removed, and the maximum allowed height of 15 ft, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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


JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 3-26-14

By [Signature]

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 26, 2014

Robert J. Schmid
3112 Benson Mill Road
Upperco, Maryland 21155

RE: Petitions for Variance
Property: 3003 Benson Mill Road
Case No.: 2014-0147-A

Dear Mr. 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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 3003 Benson Mill Rd. Upperco, MD 21155 which is presently zoned RC-2
Deed References: 31775/00396 10 Digit Tax Account # 0519071450
Property Owner(s) Printed Name(s) Robert J. Schmid

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. **X** a **Variance** from Section(s)

see attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

to be presented at hearing

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____
Attorney for Petitioner: _____
Date _____
Name- Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Robert J. Schmid
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 *Robert J. Schmid* Signature #2 _____
3112 Benson Mill Rd. Upperco MD
Mailing Address _____ City _____ State _____
21155, 443-744-9180, Rschmid@theswg.com
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Robert J. Schmid
Name- Type or Print _____
Signature *Robert J. Schmid* _____
Same
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2014-0147-A Filing Date 1/6/14

Do Not Schedule Dates: _____

Reviewer *RJ*

Sections 104.2, 400.1, and 400.3 – to permit the replacement of an existing non-conforming detached accessory structure (storage shed) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 feet in lieu of the required rear yard, the third of the lot farthest removed, and the maximum allowed height of 15 feet.

Item #0147

ZONING DESCRIPTION OF 3003 BENSON MILL ROAD

Beginning at a point on the south side of Benson Mill Road, which has a 60-foot right of way, at a distance of 30 feet west of the centerline of the nearest improved intersecting street Falls Road, which also has a 60-foot right of way (ie: the southwest side of intersection). Thence the following courses and distances: 1st Point of Call ("POC") N 81° 24' W 100', (2nd POC) S 78° 46' W 50', (3rd POC) S 76° 28' W 190', (4th POC) S 17° 57' E 134.9', (5th POC) S 15° 10' W 200', (6th POC) N 76° 08' E 332.7', (7th POC) N 13° 07' 25', (8th POC) N 03° 39' E 175', (9th POC) N 02° 50' W 109', back to the point of beginning as recorded in Deed Liber 31775, Folio 396, containing 2.343 acres. Located in the 5th Election District and 3rd Councilmanic District. Also known as Lot #1 in the minor subdivision of Schmid & Elder Property, minor subdivision #08-079-M, as maintained by the Department of Permits, Approvals, and Inspections.

Item #0147

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/neighborhood 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: 2014-0147-A

Petitioner: ROBERT SCHMID

Address or Location: 3003 BENSON MILL RD. UPPERLO, MD 21155

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT SCHMID

Address: 3112 BENSON MILL RD.
UPPERLO, MD 21155

Telephone Number: 443-744-9180

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

No. **107099**

Date: **1/6/14**

PAID RECEIPT

BUSINESS ACTION TIME
 1/02/2014 1/06/2014 12:06:09

REG MCM WALKIN SHIL SAN
 RECEIPT # 612779 1/06/2014 OFL

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				575.00

5 528 ZONING VERIFICATION
 CR NO. 107099

Kept Tot \$75.00
 \$75.00 CY \$75.00 CA
 Baltimore County, Maryland

Total: **575.00**

Rec From:

For:

Zoning Hearing - case # 2014-0147-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

JB 3/26
10 AM

CERTIFICATE OF POSTING

Date: 3-20-14

RE: Case Number: 2014-

Petitioner/Developer: A

Date of Hearing/Closing:

This is to certify under the p
by law were posted conspicuously

3/18
Need proof from sign poster

w/ new hearing info.

Rec'd
3-25

RECEIVED

MAR 25 2014

20-14

(Month, Day, Year)

OFFICE OF ADMINISTRATIVE HEARINGS

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2014-0147-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

JEFFERSON BLDG. ROOM 104
JEFFERSON AVE. TOWSON, MD 21204

PLACE: 105 W. CHESTER AVE. TOWSON, MD 21204 10 AM

DATE AND TIME: WED. MARCH 16, 2014 10 AM

REQUEST: VARIANCE TO PERMIT THE REDEMPTION OF

AN EXISTING NON-CONFORMING ZONING VIOLATION

IN ITS ORIGINAL LOCATION AND TO BE USED IN THE

WARD AND IN THE THIRD OF THE LOT LOCATED TO A STREET

WITH A HEIGHT OF 10 FEET. THE VARIANCE IS REQUESTED

BECAUSE THE PROPOSED USE IS A MORE INTENSIVE USE

AND THE PROPOSED USE IS IN CONFORMANCE WITH THE

LOCAL ZONING ORDINANCE. THE VARIANCE IS REQUESTED

BECAUSE THE PROPOSED USE IS A MORE INTENSIVE USE

AND THE PROPOSED USE IS IN CONFORMANCE WITH THE

LOCAL ZONING ORDINANCE. THE VARIANCE IS REQUESTED

BECAUSE THE PROPOSED USE IS A MORE INTENSIVE USE

AND THE PROPOSED USE IS IN CONFORMANCE WITH THE

CERTIFICATE OF POSTING

Date: 2-23-2014

RE: Case Number: 2014-0147-A

Petitioner/Developer: Rob. Schmid

Date of Hearing/Closing: Mar 17, 2014 10AM

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 3003 Benson Hill Rd

ZONING NOTICE

CASE # 2014-0147-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

JEFFERSON BLDG, ROOM 205
105 W. CHESAPEAKE AVE., TOWSON, MD 21204

PLACE: 105 W. CHESAPEAKE AVE., TOWSON, MD 21204

DATE AND TIME: MON MARCH 17, 2014 10AM

REQUEST: VARIANCE TO PERMIT THE REPLACEMENT OF
AN EXISTING, NON-CONFORMING, DETACHED ACCESSORY STRUCTURE
(STORAGE SHED) IN ITS ORIGINAL LOCATION AND SITUATED IN THE
SIDEYARD AND IN THE THIRD OF THE LOT ADJACENT TO A STREET
WITH A HEIGHT OF 16 FEET IN LIEU OF THE REQUIRED 12' MAX.
TYPED THE THIRD OF THE LOT PARCELS REMOVED AND MAX
12'15' ALLOWED HEIGHT

WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
HEARING CALL 887-3391

14

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: 1-19-14

RE: Case Number: 2014-0147-A

Petitioner/Developer: Rob Schmid

Date of Hearing/Closing: 2-3-14

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 3003 Beason Mall Rd

1-19-14

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

1015 Old Barn Road

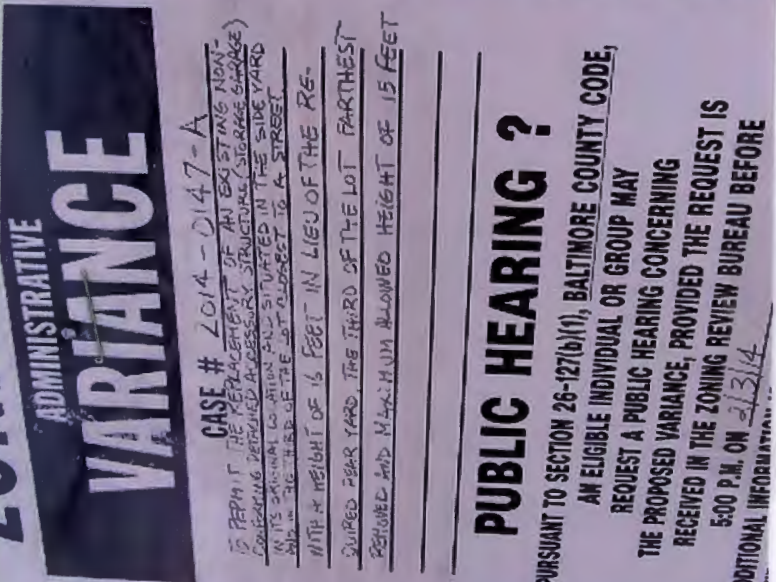
(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

February 27, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on February 25, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0147-A

3003 Benson Mill Road

S/s Benson Mill Road, 30 ft. w/of centerline of Falls Road

5th Election District - 3rd Councilmanic District

Legal Owner(s): Robert Schmid

Variance to permit the replacement of an existing non-conforming detached accessory structure (storage shed) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 ft. in lieu of the required rear yard, the third of the lot farthest removed, and the maximum allowed height of 15 ft.

Hearing: Monday, March 17, 2014 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 accommodations 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.

JT 2/842 February 25

969900



KEVIN KAMENETZ
County Executive

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

February 18, 2014

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: 2014-0147-A

3003 Benson Mill Road

S/s Benson Mill Road, 30 ft. w/of centerline of Falls Road

5th Election District – 3rd Councilmanic District

Legal Owners: Robert Schmid

Variance to permit the replacement of an existing non-conforming detached accessory structure (storage shed) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 ft. in lieu of the required rear yard, the third of the lot farthest removed, and the maximum allowed height of 15 ft.

Hearing: Monday, March 17, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Robert Schmid, 3112 Benson Mill Road, Upperco 21155

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 25, 2014**
- (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, February 25, 2014 Issue - Jeffersonian

Please forward billing to:
Robert Schmid
3112 Benson Mill Road
Upperco, MD 21155

443-744-9180

NOTICE OF ZONING HEARING

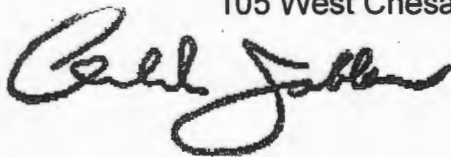
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0147-A

3003 Benson Mill Road
S/s Benson Mill Road, 30 ft. w/of centerline of Falls Road
5th Election District – 3rd Councilmanic District
Legal Owners: Robert Schmid

Variance to permit the replacement of an existing non-conforming detached accessory structure (storage shed) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 ft. in lieu of the required rear yard, the third of the lot farthest removed, and the maximum allowed height of 15 ft.

Hearing: Monday, March 17, 2014 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.

M E M O R A N D U M

DATE: April 28, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0147-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 25, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
1/15/14	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
1/5/14	COMMUNITY ASSOCIATION	Petition to
_____	ADJACENT PROPERTY OWNERS	Approve
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/25/14	
SIGN POSTING	Date: 2/23/14 by Pulson	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☒	3-20 Pulson
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0147 -A Address 3003 Benson Mill Rd

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/6/14 Posting Date: 1/19/14 Closing Date: 2/3/14

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

- 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.
- 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.
- 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.
- 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 2014- 0147 -A Address 3003 Benson Mill Rd

Petitioner's Name Robert Schmid Telephone 443-744-9180

Posting Date: 1/19/14 Closing Date: 2/3/14

Wording for Sign: To Permit the replacement of an existing non-conforming detached accessory structure (storage garage) in its original location and situated in the side yard and in the third of the lot closest to a street, with a height of 16 feet in lieu of the required rear yard, the third of the lot farthest removed, and maximum allowed height of 15 feet

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

March 13, 2014

Robert Schmid
3112 Benson Mill Road
Upperco MD 21155

RE: Case Number: 2014-0147 A, Address: 3003 Benson Mill Road

Dear Mr. Schmid:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 6, 2014. 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, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 1/15/14

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

RE: Baltimore County
Item No 2014-0147-A
Administrative Variance
Robert Schmid
3003 Benson Mill 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. 2014-0147-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,

A handwritten signature in dark ink, appearing to read 'Steven D. Foster'.

Steven D. Foster, Chief/
Development Manager
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

Debra Wiley - Rescheduling of Case 2014-0147-A - 3003 Benson Mill Road

From: Debra Wiley
To: Rschmid@theswg.com
Date: 3/18/2014 12:31 PM
Subject: Rescheduling of Case 2014-0147-A - 3003 Benson Mill Road

Good Afternoon,

This is to confirm that the above case has been rescheduled for Wednesday, March 26, 2014 @ 10 AM, in the Jefferson Building, 105 W. Chesapeake Ave., 1st Floor, Room **104**, Towson, Md. Please have your sign poster place this new hearing information on the sign over the old one and provide proof of same to this office before the hearing. A voice mail was left today on phone # 443-744-9180 with the above information @ 12:15 PM.

Please contact me if you have any questions or concerns. Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Message Id: 532874E9.833 : 38 : 53259
Subject: Rescheduling of Case 2014-0147-A - 3003 Benson Mill Road
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 3/18/2014 12:31 PM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 theswg.com	Transferred	3/18/2014 12:32 PM	
To: Rschmid@theswg.com (Rschmid@theswg.com)			

Post Offices

Post Office	Delivered	Route
theswg.com		theswg.com

Files

File	Size	Date & Time
MESSAGE	1338	3/18/2014 12:31 PM
TEXT.htm	1188	3/18/2014 12:31 PM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id:	53283CA9.NCH_DOM.NCH_PO.100.1687076.1.1B5E9.1
Common Record Id:	53283CA9.NCH_DOM.NCH_PO.200.2000026.1.485ED.1

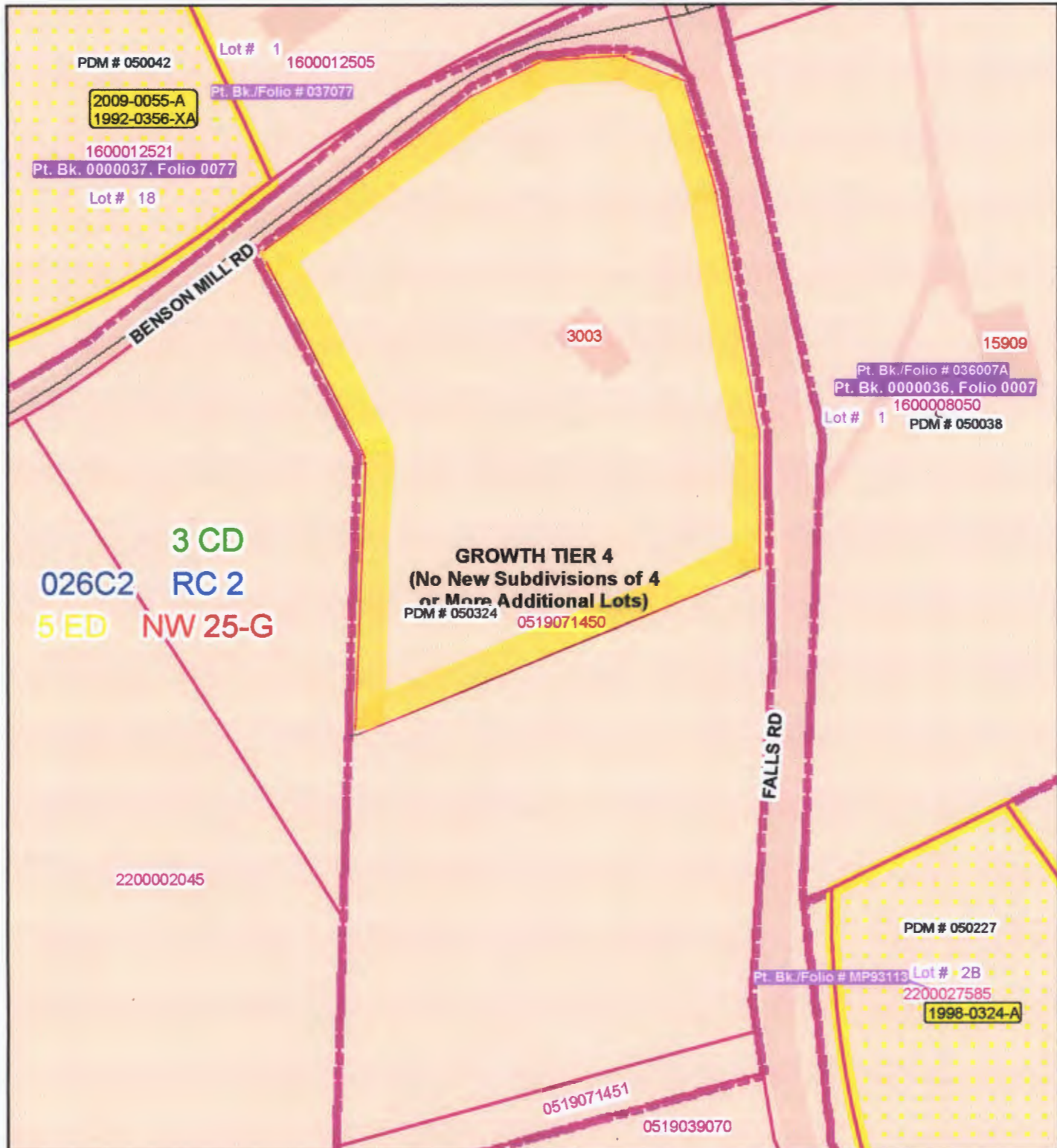
Real Property Data Search (w2)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 05 Account Number - 0519071450		
Owner Information		
Owner Name:	SCHMID ROBERT J	Use: RESIDENTIAL
Mailing Address:	3112 BENSON MILL RD UPPERCO MD 21155-9309	Principal Residence: NO
		Deed Reference: 1) /31775/ 00396 2)
Location & Structure Information		
Premises Address:	3003 BENSON MILL RD UPPERCO 21155-9308	Legal Description: 4.607 AC 3003 BENSON MILL RD SW COR BENSON MILL R
Map: 0026	Grid: 0012	Parcel: 0031
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2014
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
Ad Valorem:	Tax Class:	
Primary Structure Built 1936	Above Grade Enclosed Area 2,080 SF	Finished Basement Area
Property Land Area 4.6000 AC	County Use 04	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior STONE	Full/Half Bath 2 full	Garage
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of 01/01/2014	As of 07/01/2013
		As of 07/01/2014
Land: 142,800	128,500	
Improvements: 183,700	182,000	
Total: 326,500	310,500	326,500
Preferential Land: 0		310,500
		0
Transfer Information		
Seller: SCHMID ROBERT J	Date: 03/02/2012	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /31775/ 00396	Deed2:
Seller: HEIN CHARLES L	Date: 10/23/2007	Price: \$450,000
Type: ARMS LENGTH MULTIPLE	Deed1: /26301/ 00557	Deed2:
Seller: ARENTS GEORGE	Date: 03/05/1993	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /09643/ 00234	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County: 000		07/01/2014
State: 000		
Municipal: 000		
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

3003 Benson Mill Road



Publication Date: 1/3/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200
Feet

1 inch = 100 feet

Item #0147

Case No.: 2014-0147-A

Exhibit Sheet

Petitioner/Developer

DW
3-27-14

Protestants

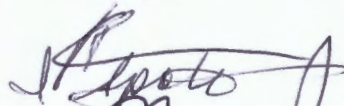
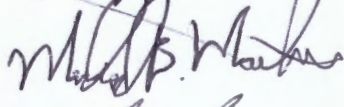
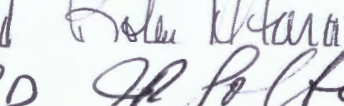
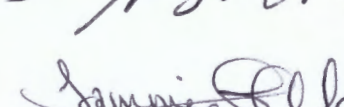
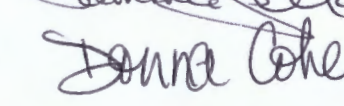
DW
4-28-14

No. 1	Plan	
No. 2	Petitions with signatures	
No. 3	Photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

January 5, 2014

3003 Benson Mill Rd., Upperco, MD 21155

The purpose of this petition is to provide Baltimore County with documentation that the neighbors of the above property would have no issue with the owner replacing the deteriorated building with a like building in size and structure, and in the same location on the property.

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Philip Spector	3120 Benson Mill Rd	
Elene Spector	3120 Benson Mill Rd	
MICHAEL MATHIAS	3426 BENSON MILL RD	
PAUL FARACE	3106 BENSON MILL RD	
Robin FARACE	3106 Benson Mill Rd	
RITCHIE SOLTER	3220 BENSON MILL RD	
Tammie Monaco	15635 falls Rd.	
Donna Cohen 443-722-3175 443-791-3669 (Jon)	3000 Benson Mill Rd	

PETITIONER'S

EXHIBIT NO. 2

Item # 0147



Item #0147

PETITIONER'S

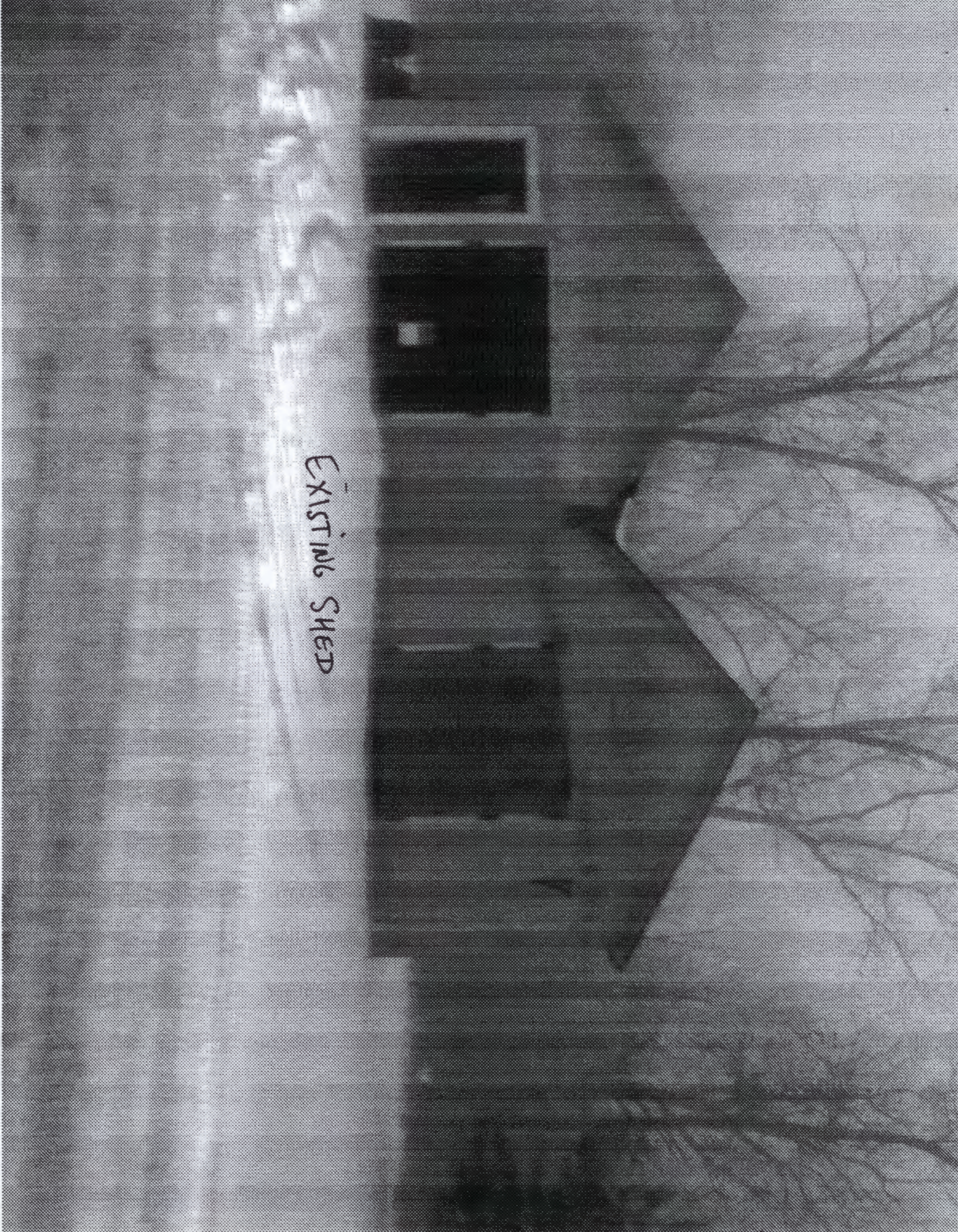
EXHIBIT NO. 3



Item #0147

SIDE VIEW EXISTING SHED

Item #0147



EXISTING SHED

Item #0147



Item #0147



Item #0147



Item #0147

