

IN RE: PETITION FOR SPECIAL HEARING *
(19 Hanover Road)
4th Election District *
3rd Councilmanic District *
John D. and Laura D. Heim *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0157-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Lawrence E. Schmidt, Esq., on behalf of John D. and Laura D. Heim, ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to approve the non-conforming use of the property for three residential apartments (§ 104.1); (2) to permit the reconstruction of a building on the footprint of a building damaged/destroyed by casualty (§ 104.2), and (3) for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Appearing at the public hearing in support of the requests was John D. Heim. Jason Vettori, Esquire with Smith, Gildea & Schmidt, LLC, appeared and represented the Petitioners. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance at the hearing. There were no adverse Zoning Advisory Committee (ZAC) comments received.

The subject property is 0.50± acres in size and is zoned BM (Business, Major). Despite having commercial zoning, the property is used as a residence with three separate apartment units having exterior entrances. Nearly a year ago, the structure was damaged by fire, and the

ORDER RECEIVED FOR FILING

Date 3-10-14

By [Signature]

Petitioners would like to rebuild on the same footprint. Baltimore County officials would not issue permits until the Petitioners obtained special hearing relief establishing the property and residential use (apartments) as nonconforming under B.C.Z.R. § 104.

The Petitioners submitted an historical summary showing the structure was constructed in approximately 1865, and is known as the "Reister Russell House." The property is shown on the Maryland Historical Trust Inventory, but it is not on the landmarks list. Petitioners' Exhibit 3. Petitioners also submitted letters from several neighbors - - some of whom have lived in the area for over 45 years - - attesting to the fact that the subject property has always been used residentially and "rented as three apartments." Petitioners' Exhibit 4. In addition, in a 2010 zoning case involving the construction of a garage on the property, former Deputy Zoning Commissioner Bostwick found that the "three-story home has three apartments." Petitioners' Exhibit 5 (Case No. 2010-0155-A).

Pursuant to the advertisement, posting of the property, and the public hearing, I find that Petitioners' Special Hearing requests should be granted.

THEREFORE, IT IS ORDERED this 10th day of March 2014, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R"): (1) to approve the non-conforming use of the property for three residential apartments (§ 104.1); and (2) to permit the reconstruction of a building on the footprint of a building damaged/destroyed by casualty (§ 104.2), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 3-10-14

By PW

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 3-10-14

By [Signature]

KEVIN KAMENETZ
County Executive



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

March 10, 2014

Jason Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

RE: Petition for Special Hearing
Property: 19 Hanover Road
Case No.: 2014-0157-SPH

Dear Mr. Vettori:

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,


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 19 Hanover Road

which is presently zoned BM and Dr 3.5

Deed References: 26890-00648

10 Digit Tax Account # 0418072075

Property Owner(s) Printed Name(s) John D. Heim and Laura D. Heim

(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

See attached.

2. ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ **a Variance** from Section(s)

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

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address

City

State

21204

(410) 821-0070

lschmidt@sgs-law.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

John D. Heim

Laura D. Heim

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

19 Hanover Rd. Reisterstown MD

Mailing Address

City

State

21136

Zip Code

Telephone #

Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address

City

State

21204

(410) 821-0070

lschmidt@sgs-law.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0157-SP4

Filing Date 1/17/14

Do Not Schedule Dates: _____

Reviewer JS

ATTACHMENT TO PETITION FOR ZONING RELIEF

19 Hanover Road
4th Election District
3rd Councilmanic District

Special Hearing relief:

1. Special Hearing to approve the nonconforming use of the property for three residential apartments, pursuant to BCZR Section 104.1; and
2. Special Hearing to permit the reconstruction of a building on the footprint of a building damaged/destroyed by casualty pursuant to BCZR Section 104.2.
3. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

**Zoning Property Description For
The Heim Property
#19 Hanover Road
Reisterstown, Maryland 21136**

January 14, 2014

Beginning at a point in or near the center of Hanover Road (Maryland Route No. 30), which is 66 feet wide, at the distance of 356 feet north of the centerline of Westminster Road (Maryland Route No. 140), which is 66 feet wide; thence running the following courses,

- 1.) North 82 degrees 30 minutes West 311 feet; thence,
- 2.) North 10 degrees East 70 feet; thence,
- 3.) South 82 degrees 30 minutes East 311 feet to a point in or near the center of the road; thence,
- 4.) South 10 degrees West 70 feet to the point of beginning.

Containing 0.50 acres (21,780 sq. ft.) of land, more or less.

Being all that lot described in the deed to John D. Heim and Laura D. Heim from John D. Heim and Laura Starr, dated March 30, 2008 and recorded in Liber S.M. 26890 folio 648, etc., Located in the Fourth Election District and Third Councilmanic District of Baltimore County, Maryland.



License renewal: 12/31/15

This description was prepared from deed information only and is not the result of an actual boundary survey and is not to be used for any other purpose than the zoning hearing for which this description is prepared.

X:\Jobs\2013\2013262\Corr\Zoning Description-01142014.doc

2014-0157-SP4

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:

2014-0157-SP17

Item Number or Case Number:

Petitioner: JOHN HEIM + LAMMIE HEIM

Address or Location: 19 HANOVER ROAD, NEISTERTOWN MD
21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: LAWRENCE E SCHMIDT

Address: SMITH, GILDE + SCHMIDT LLC
600 WASHINGTON AVE, STE 200
TOWSON, MD 21204

Telephone Number: 410-821-0070

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

No. **108148**

Date: **1/17/14**

PAID RECEIPT

1/17/14 11:12:54
 REG. 435 ADM. TIME 1/17/2014 11:12:54
 REG. 435 WALKIN SHI SHI
 RECEIPT # 414411 1/17/2014 1/17/14
 S 525 ZONING VERIFICATION
 108148
 Recpt Tot \$75.00
 \$75.00 CA \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$75.00

Total: **\$75.00**

Rec From: **HEIM**

For: **2014-0157-SPH**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

INVOICE

(INVOICE # SGS-13-19 Feb2014)

TO: Smith, Gildea and Schmidt LLC

FROM: SSG ROBERT BLACK

Phone: 410-282-7940 / Cell: 410-499-7940

Make checks to: Linda Black

1508 Leslie Road

Dundalk, Maryland 21222

NUMBER OF SIGNS:

1

COST PER SIGN:

\$150.00

TOTAL PAYMENT DUE ... \$150.00

****(PLEASE RETURN COPY OF INVOICE WITH CHECK)****

CASE NUMBER: 2014-0157-SPH

ADDRESS SIGN POSTED:

19 Hanover Rd

DATE POSTED: February 18, 2014

REMARKS: ATTN: Alyssa Fiore

ATTN:

CERTIFICATE OF POSTING

2014-0157-SPH

RE: Case No.: _____

Petitioner/Developer: _____

John & Laura Heim

Match 10, 2014

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

MAR 10 2014

Attn: Kristen Lewis:

OFFICE OF ADMINISTRATIVE HEARINGS

Ladies and Gentlemen:

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

19 Hanover Rd

February 18, 2014

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

February 18 2014

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

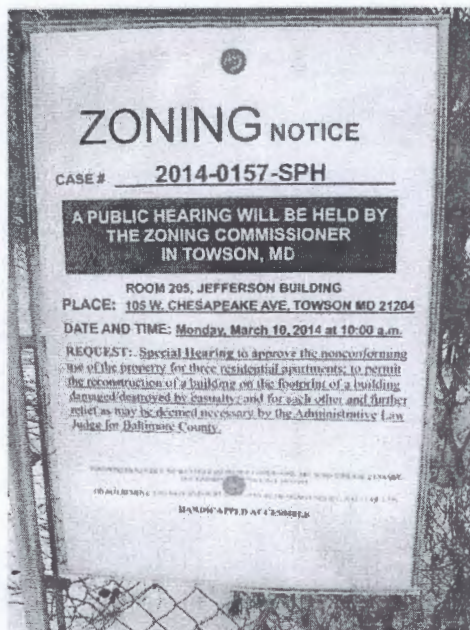
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

February 20, 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 18, 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: # 2014-0157-SPH

19 Hanover Road

W/s Hanover Road, 356 ft. n/of centerline of intersection with Westminster Road

4th Election District - 3rd Councilmanic District

Legal Owner(s): John & Laura Heim

Special Hearing: to approve the nonconforming use of the property for three residential apartments; to permit the reconstruction of a building on the footprint of a building damaged/destroyed by casualty; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Monday, March 10, 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 2/775 Feb. 18

969138



KEVIN KAMENETZ
County Executive

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

February 11, 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: 2014-0157-SPH

19 Hanover Road

W/s Hanover Road, 356 ft. n/of centerline of intersection with Westminster Road
4th Election District – 3rd Councilmanic District

Legal Owners: John & Laura Heim

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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Ave., Ste. 200, Towson 21204
Mr. & Mrs. Heim, 19 Hanover Road, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 18, 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 18, 2014 Issue - Jeffersonian

Please forward billing to:

Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2014-0157-SPH

19 Hanover Road

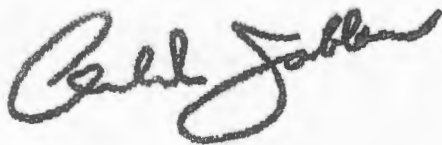
W/s Hanover Road, 356 ft. n/of centerline of intersection with Westminster Road

4th Election District – 3rd Councilmanic District

Legal Owners: John & Laura Heim

Special Hearing to approve the nonconforming use of the property for three residential apartments; to permit the reconstruction of a building on the footprint of a building damaged/destroyed by casualty; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

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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.

MEMORANDUM

DATE: April 11, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0157-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on April 9, 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

RE: PETITION FOR VARIANCE
19 Hanover Road; W/S Hanover Road,
356' N Westminster Pike
3rd Election & 4th Councilmanic Districts
Legal Owner(s): John & Laura Heim
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2014-157-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

FEB 04 2014

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February, 2014, a copy of the foregoing Entry of Appearance was mailed to Lawrence Schmidt, Esquire, Smith, Gildea & Schmidt, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

2/10/14

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

2/18/14

DEPS
(if not received, date e-mail sent _____)

N/C

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

2/5/14

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 2/18/14

SIGN POSTING Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

March 6, 2014

John D & Laura D Heim
19 Hanover Road
Reisterstown MD 21136

RE: Case Number: 2014-0157 SPH, Address: 19 Hanover Road

Dear Mr. & Ms. Heim:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 17, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Lawrence E Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

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



Maryland Department of Transportation

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

Date: 2-5-14

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0157-SPH
Special Hearing
John D. & Laura D. Helm
19 Hanover Road
MD 30

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2-3-14. A field inspection and internal review reveals that an entrance onto MD 30 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing Case Number 2014-0157-SPH.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue 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 - RE: Heim hearing (19 Hanover Road) 2014-157-SPH

From: Lawrence Schmidt <lschmidt@sgs-law.com>
To: John Beverungen <jbeverungen@baltimorecountymd.gov>
Date: 2/18/2014 10:53 AM
Subject: RE: Heim hearing (19 Hanover Road) 2014-157-SPH
CC: Debra Wiley <dwiley@baltimorecountymd.gov>
Attachments: ~WRD079.jpg; image001.jpg

Thanks. I'll see if it can work (due to posting requirements, etc.). If not, I'll have someone else in my officer handle on the 10th.

Thanks for your courtesy, as always.
Larry

Lawrence E. Schmidt
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 - fax
lschmidt@sgs-law.com

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

From: John Beverungen [jbeverungen@baltimorecountymd.gov]
Sent: Tuesday, February 18, 2014 10:51 AM
To: Lawrence Schmidt
Cc: Debra Wiley
Subject: Re: Heim hearing (19 Hanover Road) 2014-157-SPH

Mr. Schmidt,

I am fine with moving this case to an earlier March date. Just schedule it through Kristen and I will be notified of the date.

Thanks,

John Beverungen
ALJ

>>> Lawrence Schmidt <lschmidt@sgs-law.com> 2/11/2014 3:29 PM >>>

>

Judge Beverungen: I have received today a notice of hearing for the above case for Monday March 10. This is a non-conforming use case regarding a building used as apartments. The building was damaged by fire and as part of the permitting process to rebuild, the County has required confirmation of the non conforming use.

My clients are in a hurry to get the approval to rebuild and there are also insurance issues (the insurer is paying for temporary housing) that are putting pressure on me to get an expedited hearing. Unfortunately, I am going to be away the week of the 10th. I understand from Kristen that you are out the rest of that week. I am wondering if you are willing/available to move the hearing up to the preceding week. I don't know if that might be beneficial to you and if you are going out of town (like me) the week of the 10th. I am assuming you are not going to Arizona to play golf, if so, I'll see you on the first tee.

Anyway, I can have another lawyer in my office handle this on the 10th if it is problematic to change the date, but after I called Kristen and she told me that you were out the balance of that week, I thought it may be mutually accommodating to move it to the prior week. We could do Wednesday, Thursday or Friday and still have no problem meeting the posting and advertising requirements.

Just let me know, one way or the other.

Thanks.

Larry Schmidt

Lawrence E. Schmidt
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 - fax
lschmidt@sgs-law.com

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

CONNECT WITH BALTIMORE COUNTY

JB 3/10 @ 10Am

Debra Wiley - Fwd: Re: Heim hearing (19 Hanover Road) 2014-157-SPH

From: Debra Wiley
To: Lewis, Kristen
Date: 2/18/2014 11:48 AM
Subject: Fwd: Re: Heim hearing (19 Hanover Road) 2014-157-SPH

FYI

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

>>> John Beverungen 2/18/2014 10:51 AM >>>
Mr. Schmidt,

I am fine with moving this case to an earlier March date. Just schedule it through Kristen and I will be notified of the date.

Thanks,

John Beverungen
ALJ

>>> Lawrence Schmidt <lschmidt@sgs-law.com> 2/11/2014 3:29 PM >>>
>

Judge Beverungen: I have received today a notice of hearing for the above case for Monday March 10. This is a non-conforming use case regarding a building used as apartments. The building was damaged by fire and as part of the permitting process to rebuild, the County has required confirmation of the non conforming use.

My clients are in a hurry to get the approval to rebuild and there are also insurance issues (the insurer is paying for temporary housing) that are putting pressure on me to get an expedited hearing. Unfortunately, I am going to be away the week of the 10th. I understand from Kristen that you are out the rest of that week. I am wondering if you are willing/available to move the hearing up to the preceding week. I don't know if that might be beneficial to you and if you are going out of town (like me) the week of the 10th. I am assuming you are not going to Arizona to play golf, if so, I'll see you on the first tee.

Anyway, I can have another lawyer in my office handle this on the 10th if it is problematic to change the date, but after I called Kristen and she told me that you were out the balance of that week, I thought it may be mutually accommodating to move it to the prior week. We could do Wednesday, Thursday or Friday and still have no problem meeting the posting and advertising requirements.

Just let me know, one way or the other.

Thanks.

Larry Schmidt

Lawrence E. Schmidt
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 - fax
lschmidt@sgs-law.com

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File

From: Carl Richards
To: Beverungen, John
Date: 9/12/2014 6:34 AM
Subject: Re: Fwd: Case No. 2014-0157-SPH (19 Hanover Road)

Thanks John,
I accepted the permit yesterday and I'll include your mail in file.

>>> John Beverungen 9/11/2014 2:05 PM >>>
Carl,

I spoke with Jason Vettori yesterday regarding the above case, and his email accurately recounts what we discussed. I am not sure whether or not you are the correct person to contact, but I told Mr. Vettori that I would be willing to write you in an effort to resolve the matter. The County will apparently not issue the building permit because a deck is proposed that is not shown on the plan. Having reviewed the Order in the case, I concur with Mr. Vettori that the Petitioner can rebuild the structure found to be nonconforming, and can enlarge the size of the nonconforming structure by no more than 25%, as stated in BCZR sec. 104. He states that the deck would increase the footprint by 17%. In these circumstances, I believe the Petitioners are entitled to construct the deck as requested in the permit application.

I may not be privy to additional facts or circumstances that complicate the analysis here, and if that is the case please forgive me. I agreed to share with you my opinion, and I hope that you do not consider my doing so to be an affront to your prerogative.

John.

>>> Jason Vettori <jvettori@sgs-law.com> 9/10/2014 5:35 PM >>>

Dear Judge Beverungen,

In follow up to our brief conversation this afternoon, the first attachment to this e-mail is the written decision in Case No. 2014-0157-SPH (19 Hanover Road) dated March 10, 2014. It has been explained to me that the property owner has run into an issue where the Zoning Review Bureau (PAI) will not sign off on their Building Permit. I respectfully request that you advise the Zoning Review Bureau that the Building Permit can be issued as submitted (showing the house and the proposed deck), as the attached decision authorizes the development proposed in the Building Permit.

Here is a brief summary of what I understand to be the point of contention for Zoning Review. As you can see from your written decision in the above referenced matter, you granted special hearing relief (1) to approve the non-conforming use of the property for three residential apartments (§ 104.1); and (2) to permit the reconstruction

of a building on the footprint of a building damaged/destroyed by casualty (§ 104.2). The attached decision did not make reference to the deck shown on the plan that was submitted with the Building Permit application. Correspondingly, the plan that accompanied the petition for zoning relief did not show the deck being proposed in the building permit. However, it is my recollection that an exhibit showing the proposed deck was entered into evidence at the hearing. I believe the second attachment hereto is a crudely scanned version of that elevation that showed what the deck would look like. I further recall offering argument that the deck was allowed so long as it did not constitute a 25% increase to the nonconforming use. BCZR § 104.3 allows a nonconforming use or structure to be extended 25% of the ground floor area of the building so used. As you can see from the plan that was submitted with the building permit (see the 3rd attachment hereto), the application for the building permit (see the 4th attachment hereto) and PAI's Plan Review Data Sheet (see the 5th attachment hereto), the proposed deck is permitted by right based upon the fact that the principal structure is a legal nonconforming use, and such uses can be extended 25%.

Specifically, the information provided on PAI's Plan Review Data Sheet indicates that the "total building area all floors" is 5,316 square feet. The handwritten description of the proposed work on the application for the building permit indicates that the proposed deck is 936 square feet. 936 square feet is approximately 17.6% of 5,316 square feet.

Thank you in advance for your consideration of this most important matter.

Jason T. Vettori
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204
Phone: (410) 821-0070

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 10, 2014

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For February 10, 2014
Item No. 2014-0076, 0103, 0157, 0158, 0160, 0161 and 0164

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\ZAC02102014 -.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

FEB 20 2014

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 18, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0157-SPH
Address 19 Hanover Road
(Heim Property)

Zoning Advisory Committee Meeting of February 3, 2014.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

Real Property Data Search (w2)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 04 Account Number - 0418072075	
Owner Information		
Owner Name:	HEIM JOHN D HEIM LAURA D	Use: COMMERCIAL Principal Residence: YES
Mailing Address:	19 HANOVER RD REISTERSTOWN MD 21136-1042	Deed Reference: 1) /26890/ 00648 2)
Location & Structure Information		
Premises Address:	19 HANOVER RD REISTERSTOWN MD 21136-1018	Legal Description: .50 AC 19 HANOVER RD WS 300 NW WESTMINISTER PIK
Map: 0048	Grid: 0010	Parcel: 0740
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	Above Grade Enclosed Area	Finished Basement Area
3032		
Property Land Area	County Use	
21,780 SF	06	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2014	07/01/2013
Land:	116,700	116,700
Improvements	900	900
Total:	117,600	117,600
Preferential Land:	0	0
Transfer Information		
Seller: HEIM JOHN D	Date: 04/15/2008	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26890/ 00648	Deed2:
Seller: JOHANSSON CHRISTINE B	Date: 06/24/1998	Price: \$150,000
Type: ARMS LENGTH IMPROVED	Deed1: /12965/ 00147	Deed2:
Seller: BELL EDMUND BEL L CATHERINE	Date: 08/12/1986	Price: \$75,000
Type: ARMS LENGTH IMPROVED	Deed1: /07266/ 00195	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
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: Application received		

New Search (<http://sdat.resiusa.org/RealProperty>)

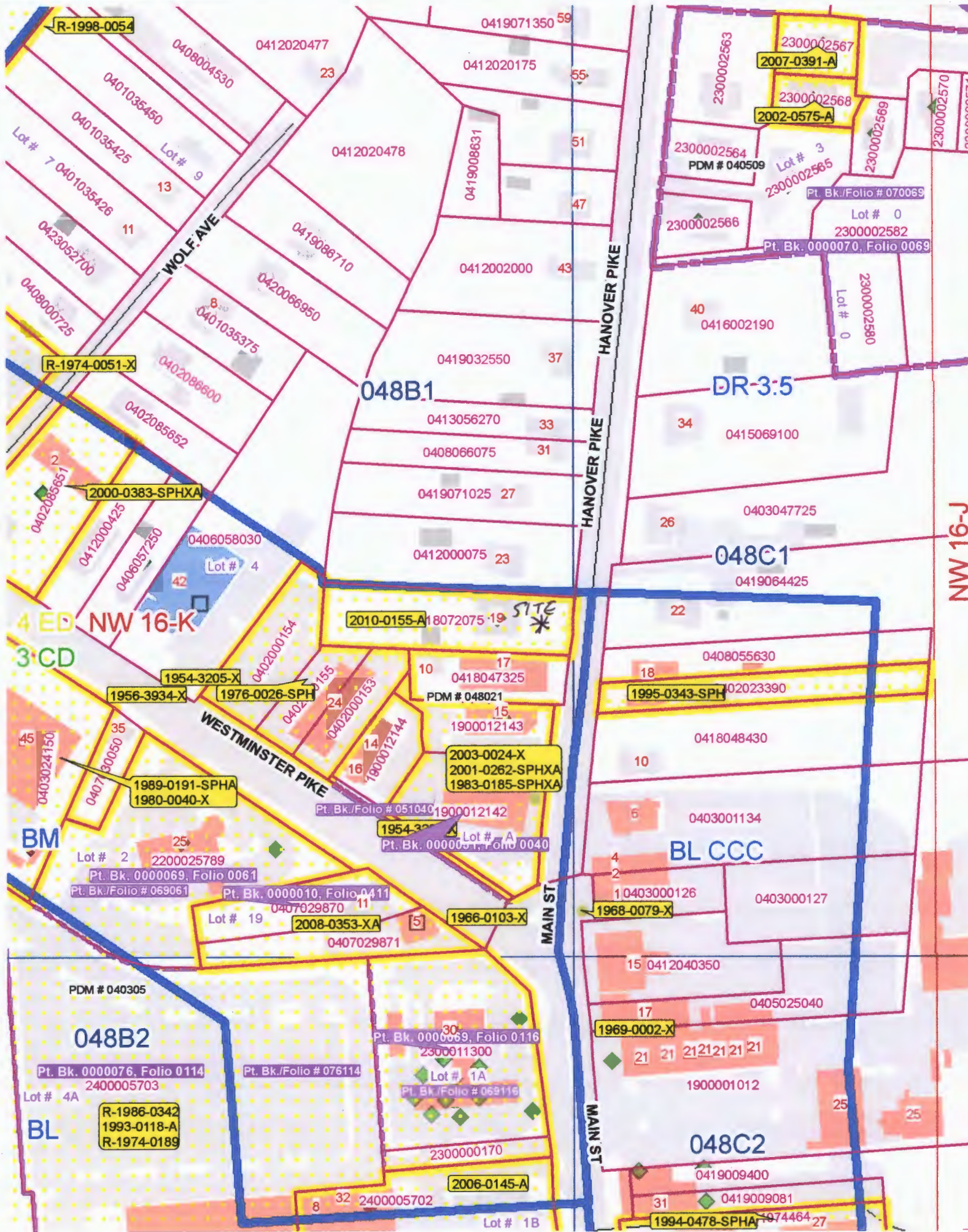
Order the **TAX MAP** [click here...](#)

(<http://imsweb05.mdp.state.md.us/website/mosp/>)

Loading... Please Wait.

CASE NAME HEIM
CASE NUMBER 2014-0157-SPH
DATE MARCH 10, 2014

[illegible]



2014-0157-SPH

Case No.: 2014-0157-SPH (19 Hanover Rd.)

JLB
3/10

Exhibit Sheet

19W4-11-14 10 Am

Petitioner/Developer

Respondent

19W3-10-14

No. 1	Plan	
No. 2	Aerial Photo	
No. 3	Capsule Summary - historical summary	
No. 4	Letters	
No. 5	Order in No. 2010-155	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER' S

EXHIBIT NO.

2



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 3/4/2014

PETITIONER' S

EXHIBIT NO. 3

CAPSULE SUMMARY

BA-1106

Reister Russell House

19 Hanover Road

Reisterstown, Baltimore County

ca. 1865

Private

The Reister Russell House was constructed circa 1865, just before the height of Reisterstown's late-nineteenth-century development and growth. The Gothic Revival style house is well representative of dwellings constructed in Reisterstown in the mid to late nineteenth century. It is one of the few remaining buildings of this type in town. Russell came to Baltimore County in 1857, and soon established the extensive dry goods business of Russell Brothers. Together, the family operated a store on the east side of the Reisterstown Turnpike south of the Reister Russell House.

The Reister Russell House is a two-and-a-half story, five-bay-wide dwelling of eight-course American bond brick construction on a solid random rubble stone foundation. The side gable roof, which is clad in standing seam metal, is interrupted by a central cross gable peak and pierced by two central interior stretcher bond brick chimneys. A central sash-and-paneled single-leaf wood door with a four-light transom and three-light sidelights over paneled dado pierce the façade, or east elevation. The entry is flanked by four 2/4 windows, while five 2/2 windows pierce the second story. The intersecting gable peak features one round-arched rowlock lintel. All first and second story openings have molded wood surrounds, square-edged wood sills, and brick jack arch lintels. A five-bay-wide porch with a half-hipped roof supported by chamfered wood posts shelters the first story. Each porch bay is ornamented with scroll-sawn corner brackets and turned pendants. Ornamental braces with pendant and finial distinguish the gable peaks of the façade, and side elevations. To the west of the dwelling is a circa 1940 garage. The one-and-a-half-story, one-bay-square wood frame building is clad in wood shingles and features a front gable roof clad in wood shingles.

Maryland Historical Trust Maryland Inventory of Historic Properties Form

Inventory No. BA-1106

1. Name of Property (indicate preferred name)

historic Reister Russell House

other

2. Location

street and number 19 Hanover Road not for publication

city, town Reisterstown vicinity

county Baltimore County

3. Owner of Property (give names and mailing addresses of all owners)

name John D. Heim and Laura Starr

street and number 19 Hanover Road telephone Not Available

city, town Reisterstown state MD zip code 21136

4. Location of Legal Description

courthouse, registry of deeds, etc. Baltimore County Courthouse liber 12965 folio 147

city, town Towson tax map 48 tax parcel 740 tax ID number 04180072075

5. Primary Location of Additional Data

- ☐ Contributing Resource in National Register District
☐ Contributing Resource in Local Historic District
☐ Determined Eligible for the National Register/Maryland Register
☐ Determined Ineligible for the National Register/Maryland Register
☐ Recorded by HABS/HAER
☐ Historic Structure Report or Research Report at MHT
☐ Other: _____

6. Classification

Category	Ownership	Current Function	Resource Count
☐ district	☐ public	☐ agriculture	Contributing
☒ building(s)	☒ private	☐ landscape	Noncontributing
☐ structure	☐ both	☐ commerce/trade	2
☐ site		☐ defense	
☐ object		☒ domestic	
		☐ education	
		☐ funerary	2
		☐ government	
		☐ health care	
		☐ industry	
		☐ recreation/culture	
		☐ religion	
		☐ social	
		☐ transportation	
		☐ work in progress	
		☐ unknown	
		☐ vacant/not in use	
		☐ other:	
			Number of Contributing Resources previously listed in the inventory
			1

7. Description

Inventory No. BA-1106

Condition

☐ excellent	☐ deteriorated
☒ good	☐ ruins
☐ fair	☐ altered

Prepare both a one paragraph summary and a comprehensive description of the resource and its various elements as it exists today.

The Gothic Revival style Reister Russell House, constructed circa 1865, is a two-and-a-half-story, five-bay-wide dwelling of eight-course American bond brick construction on a solid random rubble stone foundation. The side gable roof, which is clad in standing seam metal, is interrupted by a central cross gable peak and pierced by two central interior stretcher bond brick chimneys. A central sash-and-paneled single-leaf wood door with a four-light transom and three-light sidelights over paneled dado pierce the façade, or east elevation. The entry is flanked by four 2/4 windows, while five 2/2 windows pierce the second story. The intersecting gable peak features one round-arched 2/2 window with a molded wood surround, square-edged wood sill and round-arched rowlock lintel. All first and second story openings have molded wood surrounds, square-edged wood sills and brick jack arch lintels. A five-bay-wide porch with a half-hipped roof supported by chamfered wood posts shelters the first story. Each porch bay is ornamented with scroll sawn corner brackets and turned pendants. Ornamental braces with pendant and finial distinguish the gable peaks of the façade and side elevations.

To the west of the dwelling is a circa 1940 garage. The one-and-a-half-story, one-bay-square wood frame building is clad in wood shingles and features a front gable roof clad in wood shingles. The façade is pierced by one beaded vertical board sliding double-leaf wood door with a square-edged wood surround. A 1/1 window pierces the gable peak.

8. Significance

Inventory No. BA-1106

Period	Areas of Significance	Check and justify below			
☐ 1600-1699	☐ agriculture	☐ economics	☐ health/medicine	☐ performing arts	
☐ 1700-1799	☐ archeology	☐ education	☐ industry	☐ philosophy	
☒ 1800-1899	☒ architecture	☐ engineering	☐ invention	☐ politics/government	
☒ 1900-1999	☐ art	☐ entertainment/ recreation	☐ landscape architecture	☐ religion	
☐ 2000-	☐ commerce	☐ ethnic heritage	☐ law	☐ science	
	☐ communications	☐ exploration/ settlement	☐ literature	☐ social history	
	☐ community planning		☐ maritime history	☐ transportation	
	☐ conservation		☐ military	☐ other:	

Specific dates 1865 ca.-present **Architect/Builder** Unknown

Construction dates 1865 ca.

Evaluation for:

☐ National Register

☐ Maryland Register

☒ not evaluated

Prepare a one-paragraph summary statement of significance addressing applicable criteria, followed by a narrative discussion of the history of the resource and its context. (For compliance projects, complete evaluation on a DOE Form – see manual.)

The Reister Russell House was constructed circa 1865, just prior to the height of Reisterstown's late 19th century development and growth. The Gothic Revival style house is well representative of dwellings constructed in Reisterstown in the mid- to late 19th century. It is one of the few remaining buildings of this type in the town. Russell, born in Pennsylvania in 1842, came to Baltimore County in 1857 and soon established the extensive dry goods business of Russell Brothers. Together, the family operated a store on the east side of the Reisterstown Turnpike south of the Reister Russell House.

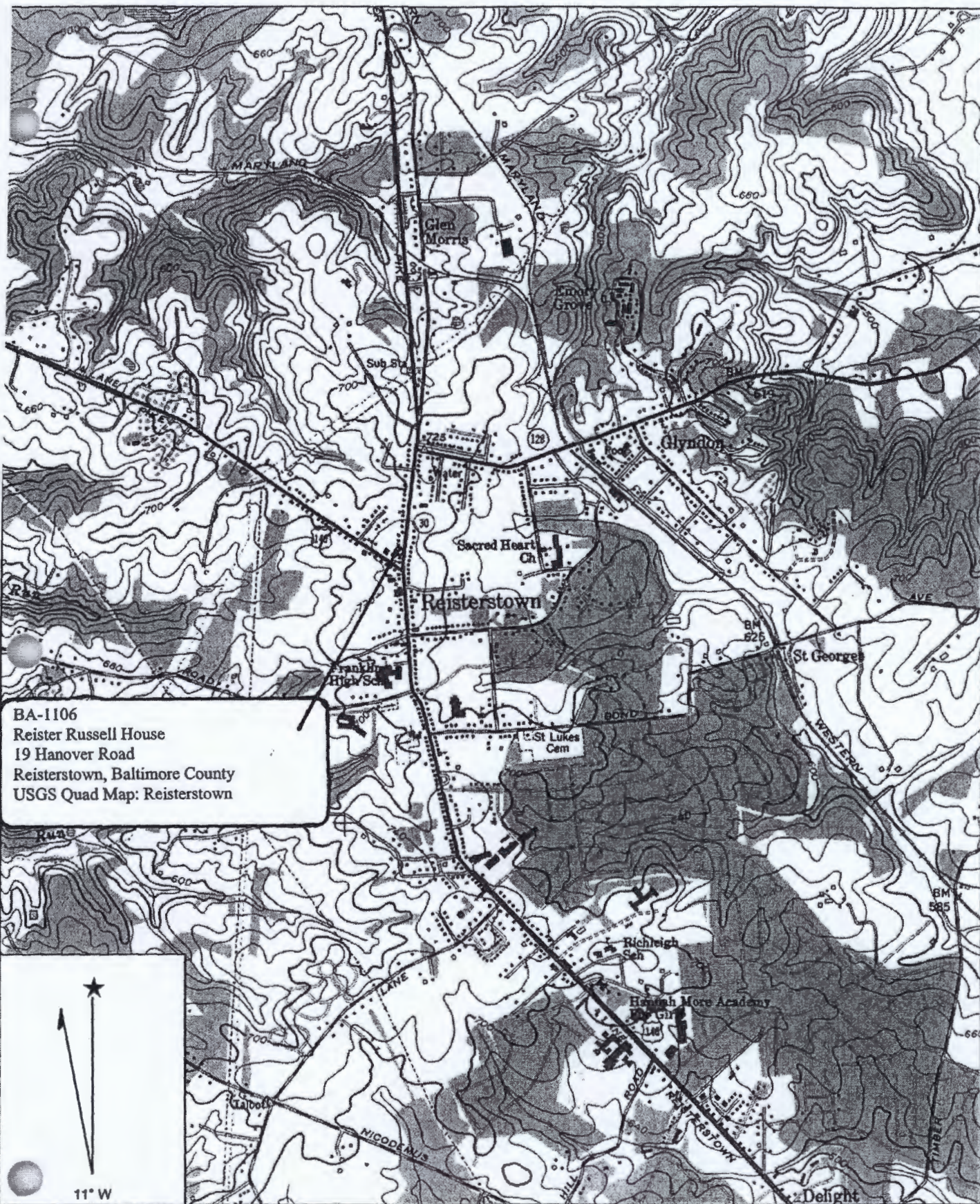
The 18th century community of Reisterstown is named for John Reister, who settled "Reister's Desire" in 1758. Shortly thereafter he laid out Reister's Town Road, along which he established a tavern for travelers passing through on their way to Baltimore. Reisterstown was strategically located at the intersection of roads leading to Baltimore, Westminster, and Hanover, thus lending importance to the community as a turnpike town. In the 1810s, the condition of Reisterstown Road significantly improved when the Baltimore and Reisterstown Turnpike Company completed construction along the route.¹

By 1850, Reisterstown's importance along the turnpike was evident by the considerable development of the community. Numerous buildings, including dwellings, taverns, and other commercial structures, were located along the Reisterstown Turnpike. Immediately north of the intersection of the Reisterstown Turnpike and the Westminster Turnpike was the tavern operated by Jeremiah Ducker.² At that time, the town's population had reached 500, and Reisterstown appeared slated for further growth.³ Circa 1865, the Reister Russell House was constructed in the vicinity of this tavern. By 1881, the population had reached 600, and establishments in the town included one public school, three private schools, three seminaries, Catholic, Lutheran, and Methodist

¹ Neal A. Brooks and Eric G. Rockel, *A History of Baltimore County* (Towson, MD: Friends of the Towson Library, Inc., 1979), pp. 49-50.

² J.C. Sidney, *Map of the City and County of Baltimore, Maryland, from Original Surveys* (Baltimore, MD: James M. Stephens, 1850).

³ Brooks and Rockel, p. 308.



Name: REISTERSTOWN
 Date: 6/2/2003
 Scale: 1 inch equals 2000 feet

Location: 18 343020 E 4370108 N



BA-1106
19 HANOVER ROAD
REISTERSTOWN
BALTIMORE COUNTY, MD
TRAILER LFS

4/2001
ND-3HRD
W ELEVATION
1042



BA1106

19 HANOVER ROAD

RELTEASTOWN

BALTIMORE COUNTY, MD

TRAILER LBS

4/2001

MD SHPO

SE CORNER

2 of 2

5/79

BA 1106

RUSSELL HOUSE
19 Hanover Road
Reisterstown, Md.

Private

19 Hanover Road is a large house of basic, traditional form with touches of picturesque mid-to-late nineteenth century ornamentation. Externally, it appears to be in nearly-unaltered condition.

MARYLAND HISTORICAL TRUST

BA 1106

MAGI #0311065504

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

1 NAME

HISTORIC

RUSSELL HOUSE

AND/OR COMMON

2 LOCATION

STREET & NUMBER

19 Hanover Road

-6th

CITY, TOWN

Reisterstown

VICINITY OF

CONGRESSIONAL DISTRICT

Baltimore Co.

STATE

Maryland

21136

COUNTY

3 CLASSIFICATION

CATEGORY

☐ DISTRICT

☒ BUILDING(S)

☐ STRUCTURE

☐ SITE

☐ OBJECT

OWNERSHIP

☐ PUBLIC

☒ PRIVATE

☐ BOTH

PUBLIC ACQUISITION

☐ IN PROCESS

☐ BEING CONSIDERED

STATUS

☐ OCCUPIED

☒ UNOCCUPIED

☐ WORK IN PROGRESS

ACCESSIBLE

☐ YES: RESTRICTED

☐ YES: UNRESTRICTED

☒ NO

PRESENT USE

☐ AGRICULTURE

☐ MUSEUM

☐ COMMERCIAL

☐ PARK

☐ EDUCATIONAL

☒ PRIVATE RESIDENCE

☐ ENTERTAINMENT

☐ RELIGIOUS

☐ GOVERNMENT

☐ SCIENTIFIC

☐ INDUSTRIAL

☐ TRANSPORTATION

☐ MILITARY

☐ OTHER:

4 OWNER OF PROPERTY

NAME

Mrs. Raymond Russell

Telephone #:

STREET & NUMBER

% Zelma B. Ensor, Realtor

CITY, TOWN

357 Main St. Reisterstown

VICINITY OF

Maryland 21136

STATE, zip code

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE,
REGISTRY OF DEEDS, ETC.

Baltimore Co. Courthouse

STREET & NUMBER

Towson

CITY, TOWN

STATE

Maryland

6 REPRESENTATION IN EXISTING SURVEYS

TITLE

DATE

☐ FEDERAL ☐ STATE ☐ COUNTY ☐ LOCAL

DEPOSITORY FOR
SURVEY RECORDS

CITY, TOWN

STATE

7 DESCRIPTION

BA-1106

CONDITION

☐ EXCELLENT
☒ GOOD
☒ FAIR

☐ DETERIORATED
☐ RUINS
☐ UNEXPOSED

CHECK ONE

☒ UNALTERED
☐ ALTERED

CHECK ONE

☒ ORIGINAL SITE
☐ MOVED DATE _____

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

19 HANOVER ROAD

19 Hanover Road is a brick house two storeys in height, five bays in length, facing the street to the east. It probably dates from ca. 1865-1880. A large gable in the roof is centered on the east front. Small shed-roofed wings extend behind the northerly and the second-from-the-southerly bays, the former of brick, the latter of frame; their roofs are continuations of the main roof at a lower pitch. A one-storey porch with a low hipped roof extends across the east front, scrolled brackets with turned drop finials projecting forward from each column to support the wide cornice, arched braces springing from the columns to a drop finial in the middle of each bay. High in the front gable and in the end gables of the roof under the wide overhangs, is a simulated king post truss, its bottom chord "supported" by arched braces springing from the rake cornice soffit, the king post terminated below with a drop finial and extending above the roof with a turned spire. The panels of these "trusses" are filled with elaborately jig-sawn frets. Drop finials extend from each eave at its lowest point flanking the gables.

The principal entrance with its sidelights and transom is centered in the east front. First storey windows are long $2/4$, extending to the floor; second storey windows are $2/2$ and all have louvred blinds with operable louvres. Single-flue brick chimneys rise through the ridge approximately midway between the center point of the roof and the north and south end gables.

The interior of this house was not accessible for inspection.

CONTINUE ON SEPARATE SHEET IF NECESSARY

8 SIGNIFICANCE

BA-1106

PERIOD		AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
☐ PREHISTORIC	☐ ARCHEOLOGY-PREHISTORIC	☐ COMMUNITY PLANNING	☐ LANDSCAPE ARCHITECTURE	☐ RELIGION	
☐ 1400-1499	☐ ARCHEOLOGY-HISTORIC	☐ CONSERVATION	☐ LAW	☐ SCIENCE	
☐ 1500-1599	☐ AGRICULTURE	☐ ECONOMICS	☐ LITERATURE	☐ SCULPTURE	
☐ 1600-1699	☒ ARCHITECTURE	☐ EDUCATION	☐ MILITARY	☐ SOCIAL/HUMANITARIAN	
☐ 1700-1799	☐ ART	☐ ENGINEERING	☐ MUSIC	☐ THEATER	
☒ 1800-1899	☒ COMMERCE	☐ EXPLORATION/SETTLEMENT	☐ PHILOSOPHY	☐ TRANSPORTATION	
☐ 1900-	☐ COMMUNICATIONS	☐ INDUSTRY	☐ POLITICS/GOVERNMENT	☒ OTHER (SPECIFY)	
		☐ INVENTION			

Local History

SPECIFIC DATES

BUILDER/ARCHITECT

STATEMENT OF SIGNIFICANCE

19 HANOVER ROAD

This is a large house of basic, traditional form with touches of picturesque mid-to-late nineteenth century ornamentation. Externally, it appears to be in nearly unaltered condition.

The builder, Reister Russell, was inseparable from Reisterstown's business interests. He was one of the town's upstanding citizens. Born in 1844 in Pennsylvania, he moved with his family to Reisterstown when he was 10. He attended Franklin Academy. At the age of 16, he became a clerk for four years in a local store. (possibly the Ducker concern) He also tried farming for two years. Apparently he found storekeeping more to his liking, for in 1867, he and his brother, William, (three years younger) opened their own store, a large general store stocked with a full line of groceries, dry goods, boots, shoes, etc. The store was called Russell Brothers and it was located up town on the site of a now vacant lot. It was not long before this store began receiving a "liberal share of the public patronage", probably because of Reister Russell reputation for fair dealing and good goods" (Leading Families op cit p.432.)

Reister Russell was active in his community as well. Beginning in 1865, he was a leader in the Lutheran Church and was superintendent of the Sunday School for 30 years. He was on the Church Council from 1866-1922 (except one year). He was also a member of the Henry Clay Lodge and later became Treasurer and collector of the Order of the Golden Chain in Reisterstown. (Leading Families op cit., p.432-3. Old pictures of the Russell Brothers Store show that the Ionic Lodge was housed there for a while.

In 1857, he leased some land along the Hanover Turnpike from John W. Hitsme for \$30.00 a year (JB 92/392) This was to be the site of his residence for the rest of his life. He eventually built the fine house which stands there to-day. In 1878 he was able to purchase the property from the Hitsmes for \$500.00 (JB 110/103)

In 1871 at the age of 29, he had married Julia C. Ducker and soon the large house was filled with activities of a large family. They had eight Children, although at least two died in infancy.

In 1896 Russell was elected a member of the County School Board For Baltimore County, a distinguished honor for this Reisterstown resident. "A man of known reliability and excellent business judgement, Mr. Russell had been called upon to settle a number of estates, including those of Ducker, Kephart and Forney families.. (Leading Families op cit., p. 432.

Russell died in 1922. In his will he devised the house to a son, Raymond and his wife. Raymond died and his widow lived in the house until the late 1970's. (BC Wills 22/271)

CONTINUE ON SEPARATE SHEET IF NECESSARY

9 MAJOR BIBLIOGRAPHICAL REFERENCES

1. Land Records, Baltimore County Court House, Towson, D.
2. Wills, Baltimore County Courthouse, Towson, Md.
3. Leading Families of the City of Baltimore and Baltimore County, Md. (N.Y. Chapman Publishing Co. 1897)

CONTINUE ON SEPARATE SHEET IF NECESSARY

10 GEOGRAPHICAL DATAACREAGE OF NOMINATED PROPERTY ?

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE

COUNTY

STATE

COUNTY

11 FORM PREPARED BY James T. Wollon A.I.A.

NAME / TITLE

Cornelia M. Ives

9/78

ORGANIZATION

Historic Reisterstown, Inc.

DATE

STREET & NUMBER

430 Main St.

TELEPHONE

833-3078 (M's Ives

CITY OR TOWN

Reisterstown, Md. 21136

STATE

The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature, to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 Supplement.

The Survey and Inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

RETURN TO: Maryland Historical Trust
The Shaw House, 21 State Circle
Annapolis, Maryland 21401
(301) 267-1438

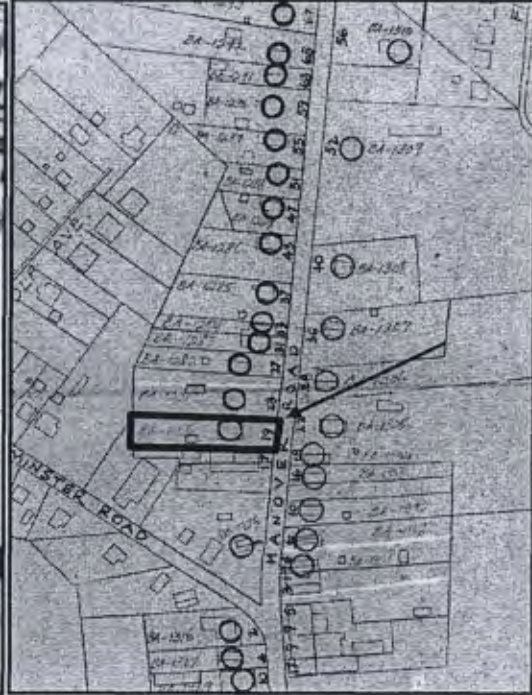
BA-1106

Reister Russell House

19 Hanover Road (MD 30), Reisterstown

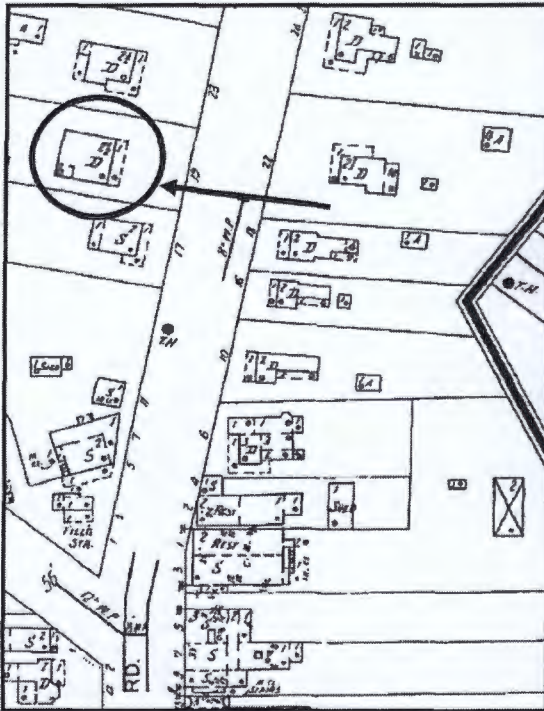
Reisterstown quadrangle

Detail map, 1977



Sanborn Map, 1950

Aerial Photo



BA-1106

Reister Russell House

19 Hanover Road (MD 30), Reisterstown

Jennifer K. Cosham, 19 April 2006



East façade



Southeast elevation



BA 1106
Russell House
19 Hanover Rd. Reisterstown

Carol Pollack

4-77

West.

LTC # 10039.

This Deed, MADE THIS 5th day of July
 in the year one thousand nine hundred and eighty-six by and between
 ✓ Edmund Bell and ✓ Edna M. Anderson
 of Baltimore County, State of Maryland of the first part, and
 ✓ Christine B. Johansson and ✓ Clyde A. Strang
 of the second part.

WITNESSETH, That in consideration of the sum of Seventy-five Thousand and no/100ths Dollars
 (\$75,000.00) and other good and valuable considerations, the receipt of which is
 hereby acknowledged;
 the said parties of the first part

D RC/F 14.00
 D T IX 375.00
 D OCS 375.00
 DEED 0 #
 EHX JR T 764.00
 #37290 C002 R02 T10:39
 09/17/86

do grant and convey to the said parties of the second part as joint tenants and not
 as tenants in common, their assigns, the survivor of them and the survivor's

personal representatives and assigns, in fee simple, all
 that lot of ground situate in Baltimore County, State of Maryland
 and described as follows, that is to say:

Beginning for the same in the centre of the Hanover Turnpike Road at the end of a line
 drawn South eighty two and a half degrees East from a stone planted in the ground on the
 West side of said Turnpike Road and reversing said line and running over said stone North
 eighty-two and a half degrees West three hundred and eleven feet to a stone; then
 North ten degrees East and parallel to said Turnpike seventy feet; then parallel to the
 first line South eighty-two and a half degrees East three hundred and eleven feet to the
 centre of said Turnpike; and then bounding on the centre of said Turnpike to the first
 place of beginning, containing a half acre of land more or less.
 The improvements thereon being known as 19 Hanover Road.

Being the same lot of ground which by deed dated May 3, 1983 and recorded among the Land
 Records of Baltimore County in Liber 6525, folio 814 which was granted and conveyed by
 Ruth E. Doudiken and John Riley unto Edmund Bell and Catherine Bell, his wife and Edna
 M. Anderson. The said Catherine Bell having departed this life on or about May 2, 1986.

Handwritten signature: JAP 8/12/86

Handwritten signature: JAP 8/12/86
 DATE

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

To HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of them and the survivor's

personal representatives/successors and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors

Test:

Lenni B. Busky

Edmund Bell (SEAL)
Edmund Bell

Edna M. Anderson (SEAL)
Edna M. Anderson

STATE OF MARYLAND, Baltimore County, to wit:

I HEREBY CERTIFY, That on this 5th day of July, before me, in the year one thousand nine hundred and eighty-six the subscriber, a Notary Public of the State aforesaid, personally appeared

Edmund Bell and Edna M. Anderson known to me (or satisfactorily proven) to be the persons whose names is/are subscribed to the within instrument, and acknowledged the foregoing Deed to be they act, and in my presence signed and sealed the same.

In WITNESS WHEREOF, I hereunto set my hand and official seal.

Lenni B. Busky
Notary Public

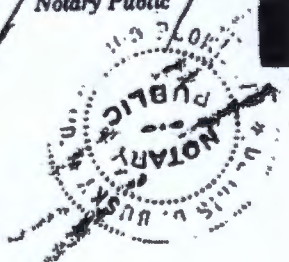
My Commission expires:

July 1, 1990

Mail to

Address

Landmark Title Co
501 Main St
Elkridge



File No.: 15687-08-00173

THIS DEED, made this 18th day of March, 2008, by and between JOHN D. HEIM AND LAURA STARR (N/K/A LAURA D. HEIM), party(ies) of the first part ["GRANTOR(S)"]; and JOHN D. HEIM AND LAURA D. HEIM, party(ies) of the second part ["GRANTEE(S)"].

- Witnesseth -

THAT FOR AND IN CONSIDERATION of the sum of NO CONSIDERATION (\$0.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor(s) does/do grant and convey unto the said JOHN D. HEIM AND LAURA D. HEIM, in fee simple, as Tenants by the Entirety, all that lot of ground situate in BALTIMORE County, Maryland, and described as follows, that is to say:

Beginning for the same in the centre of the Hanover Turnpike Road at the end of a line drawn South eighty-two and a half degrees East from a stone planted in the ground on the West side of said Turnpike Road and reversely said line and running over said stone North Eighty-two and a half degrees West three hundred and eleven feet to a stone; then North ten degrees East and parallel to said Turnpike seventy feet; then parallel to the first line South eighty-two and a half degrees East three hundred and eleven feet to the centre of said Turnpike; and then bounding on the centre of said Turnpike to the first place of beginning, containing a half acre of land, more or less.

Which has a mailing address of: 19 Hanover Road
Reisterstown, MD 21136

Title Insurer: Chicago Title Insurance Company
Tax Account No. 0418072075

Being the same land conveyed to the Grantor(s) herein by Deed recorded in Liber 12965, Folio 147, among the aforesaid Land Records.

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Grantee(s), his/her/their assigns, the survivor of them and the survivor's personal representatives and assigns. in fee simple.

AND the said party(ies) of the first part hereby covenant(s) that he/she/they has/have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he/she/they will warrant specially the property hereby granted; and that he/she/they will execute such further assurances of the same as may be requisite.

AS WITNESS the hands and seals of the said Grantor(s), the day and year first above written.
In Presence Of

[Signature]

[Signature]
John D. Heim
[Signature]
Laura D. Heim (f/k/a Laura Starr)

I hereby certify that on this 18th day of March, 2008 before me, the subscriber, a Notary Public of the jurisdiction aforesaid, personally appeared, who is/are personally well known to me as the grantor(s) in, and the person(s) whose names are subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.



IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 3/1/09

[Signature]
Notary Public

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

[Signature]
Attorney Karen B. Miller

AFFIDAVIT

The undersigned, does/do hereby certify under penalties of perjury that this is an interspousal transfer and the consideration paid for the herein conveyance is \$0.00. The undersigned further certify that has been making all payments under the existing Deed of Trust and that will continue to make all payments thereunder after the herein conveyance.

No grantor or grantee is assuming liability for debt or being relieved of liability for debt in this transaction.

x *[Signature]*
x *[Signature]*

After recording, please return to:

North American Title Company
140 Village Shopping Center, Suite 201
Westminster, MD 21157

File No.: 15687-08-00173

0026890 651

File No.: 15687-08-00173

2008
Maryland
Form

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of Residence
or Principal Residence**

Based on the certification below, Transferor claims exemption from the tax withholding requirements of Section 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of section 10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor

John D. Heim and Laura Starr (n/k/a Laura D. Heim)

2. Reasons for Exemption

**Resident
Status**

- ☒ I, Transferor, am a resident of the State of Maryland.
- ☐ Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR) 03.04.12.02B(11). I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

**Principal
Residence**

- ☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC Section 121.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

John D. Heim

Laura D. Heim (n/k/a Laura Starr)

3b. Entity Transferors

Witness/Attest

19 Hanover Road Reisterstown, MD 21136

File No. 15687-08-00173

Tax ID # 0418072075

AFFIDAVIT OF OCCUPANCY

We, the undersigned, do hereby acknowledge and affirm under the penalties of perjury that the property known as 19 Hanover Road, Reisterstown, Maryland 21136 is residentially improved and will be occupied by us, the grantees in the accompanying instrument.

Witness our hands and seals this 18 day of March, 2008

John D. Heim
John D. Heim
Laura D. Heim
Laura D. Heim

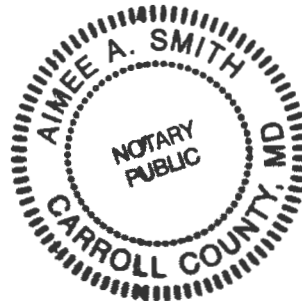
STATE OF MARYLAND, COUNTY OF CARROLL, to wit:

I hereby certify that on this 18th day of March, 2008 before me, the subscriber, a Notary Public of the aforementioned State, personally appeared JOHN D. HEIM AND LAURA D. HEIM, and being by me duly sworn, did depose and state under oath that they signed their names to the above statement.

In witness whereof, I hereunto set my hand and official seal.

Aimee A. Smith
Notary Public

My Commission Expires 3/1/09



00268901 653

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

☐ Check Box if Addendum Intake Form is Attached.

1	Type(s) of Instruments	☒ Deed	☐ Mortgage	☐ Other	☐ Other	TYPED SURE \$ 25.00 RECORDING FEE 20.00 TOTAL 45.00 Recpt # 38823 Date 04/15/2008 09:04 am	
2	Conveyance Type Check Box	☒ Improved Sale	☐ Unimproved Sale	☐ Multiple Accounts	☐ Not an Arms-Length Sale		
3	Tax Exemptions (if Applicable)	Recordation	N/A				
		State Transfer	N/A	Name Change			
	Cite or Explain Authority	County Transfer	N/A				
4	Consideration and Tax Calculations	Consideration Amount Purchase Price/Consideration \$ 165,000.00 Any New Mortgage \$ 82,103.53 Balance of Existing Mortgage \$ Other: \$ Other: \$ Full Cash Value \$			Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ X () % = \$ Less Exemption Amount = \$ Total Transfer Tax = \$ Recordation Tax Consideration \$ X () per \$500 = \$ TOTAL DUE \$		
5	Fees	Amount of Fees Recording Charge \$ 20.00 Surcharge \$ 20.00 State Recordation Tax \$ 415.00 State Transfer Tax \$ County Transfer Tax \$ Other \$ Other \$			Doc. 1 Doc. 2 Agent: Tax Bill: C.B. Credit: Ag. Tax/Other:		
6	Description of Property	District	Property Tax ID No. (1)	Grantor-Liber/Folio	Map	Parcel No.	Var. LOG
		04	0418072075	12965/147	48	740	☐ (5)
		Subdivision Name			Lot (3a)	Block (3b)	Sect/AR(3c)
					10		
		Location/Address of Property Being Conveyed (2)					
		19 Hanover Road, Reisterstown, MD 21136					
		Other Property Identifiers (if applicable)				Water Meter Account No.	
		Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount:					
		Partial Conveyance? ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred:					
		If Partial Conveyance, List Improvements Conveyed:					
7	Transferred From	Doc. 1 - Grantor(s) Name(s)			Doc. 2 - Grantor(s) Name(s)		
		John D. Heim			John D. Heim		
		Laura Starr			Laura D. Heim		
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			Doc. 2 - Owner(s) of Record, if Different from Grantor(s)		
8	Transferred To	Doc. 1 - Grantee(s) Name(s)			Doc. 2 - Grantee(s) Name(s)		
		John D. Heim			Sierra Pacific Mortgage		
		Laura D. Heim					
		New Owner's (Grantee) Mailing Address					
		19 Hanover Road, Reisterstown, MD 21136					
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)			Doc. 2 - Additional Names to be Indexed (Optional)		
10	Contact/Mail Information	Instrument Submitted By or Contact Person					☐ Return to Contact Person ☐ Hold for Pickup ☒ Return Address Provided
		Name: Post Closing Firm: North American Title Company Address: 140 Village Shopping Center, Suite 201 Westminster, MD 21157 Phone: (410) 857-1444					
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER						
	Assessment Information	☒ Yes ☐ No Will the property being conveyed be the grantee's principal residence? ☒ Yes ☐ No Does transfer include personal property? If yes, identify: ☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).					
		Assessment Use Only - Do Not Write Below This Line					
		☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Process Verification Date Received: _____ Used Reference: _____ Assigned Property No.: _____					
		Map Grid Sub Block Parcel Section Lot Ex. St. Ex. Cd. Cc. Cd.					
		COUNTY TRANSFER TAX ART 11 TITLE 3 SUBTITLE 2, 11-3-202 RECORDATION TAX T.P. ART 12-108					

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 26890, p. 0653, MSA_CE62_26745, Date available 04/18/2008. Printed 03/07/2014.

0012965 147

THIS DEED

Made the 16th day of January, in the year Nineteen
Hundred and Ninety-eight (1998).

Between CLYDE A. STRANG and CHRISTINE B. JOHANSSON, his wife,
of York County, Pennsylvania

GRANTORS

- A N D -

JOHN D. NEIM, single man, and LAURA STARR, single woman, joint
tenants with the right of survivorship, and not as tenants in
common, of Reisterstown, Maryland

GRANTEES:

Witnesseth, that in consideration of One Hundred Fifty
(\$150,000.00) Dollars, in hand paid, the receipt whereof is hereby
acknowledged, the said Grantors do hereby grant and convey to the
said Grantees, their heirs and assigns,

ALL that lot of ground situate in Baltimore County, State of
Maryland, and described as follows:

BEGINNING for the same in the centre of the Hanover Turnpike
Road at the end of a line drawn South eighty-two and a half degrees
East from a stone planted in the ground on the West side of said
Turnpike Road and reversing said line and running over said stone
North Eighty-two and a half degrees West three hundred and eleven
feet to a stone; then North ten degrees East and parallel to said
Turnpike seventy feet; then parallel to the first line South
eighty-two and a half degrees East three hundred and eleven feet to
the centre of said Turnpike; and then bounding on the centre of
said Turnpike to the first place of BEGINNING, containing a half
acre of land, more or less. The improvements thereon being known
as 19 Hanover Road.

UNDER AND SUBJECT to any restrictions, easements and covenants
of record.

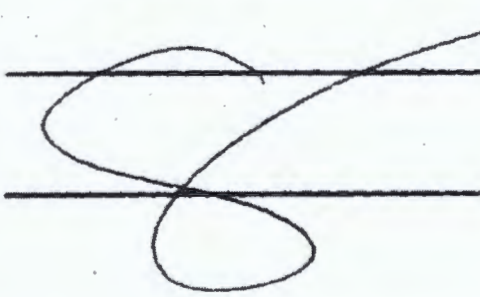
IT BEING the same premises which Edmund Bell and Edna M.
Anderson by deed dated July 5, 1986 and recorded among the Land
Records of Baltimore County in Liber 7266, folio 195, which was
granted and conveyed unto Clyde A. Strang and Christine B.
Johansson, his wife, Grantors herein.

And the said Grantors do hereby warrant Specially the
property hereby conveyed.

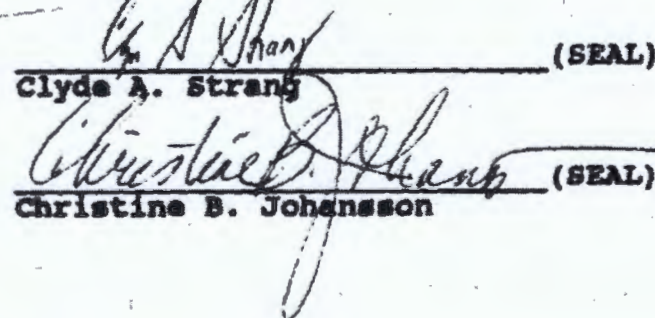
0012965 148

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first written above.

Signed, Sealed and Delivered
in the Presence of:



Clyde A. Strang (SEAL)

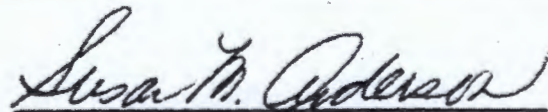


Christine B. Johansson (SEAL)

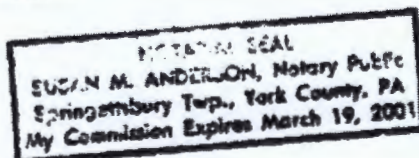
COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF YORK : SS:

On this, the 16th day of January, 1998, before me, the undersigned officer, personally appeared CLYDE A. STRANG and CHRISTINE B. JOHANSSON, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.


Notary Public

MY COMMISSION EXPIRES:



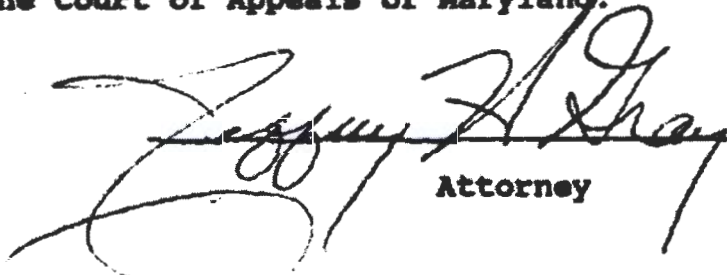
0012965 149

I hereby certify that the precise residence and complete post office address of the Grantees herein is 19 Hammer Rd., Reisterstown, Md and the Grantees will be residing in the premises.

31156

Attorney for Grantees

In accordance with the Real Property Section 3-104(a), this is to certify that the within instrument was prepared under the supervision of the undersigned, as attorney duly admitted to practice before the Court of Appeals of Maryland.



Attorney

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

(Check Box if Addendum Intake Form is Attached.)

1 Type(s)
of Instruments
☒ Deed ☒ Mortgage ☐ Other ☐ Other
☐ Deed of Trust ☐ Lease ☐ Other
☒ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☐ Not an Arms-
 Arms-Length [1] Arms-Length [2] Arms-Length [3] Length Sale [9]
2 Conveyance Type
Check Box3 Tax Exemptions
(If Applicable)4 Consideration and Tax
Calculations

5 Fees

6 Description of Property
SDAT requires
submission of all
applicable information.
A maximum of 40
characters will be
indexed in accordance
with the priority cited in
Real Property Article
Section 3-104(g)(3)(i).7 Transferred
From8 Transferred
To9 Other Names
to Be Indexed10 Contact/Mail
Information

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Assessment
Information

Assessment Use Only - Do Not Write Below This Line

Assessment Use Only - Do Not Write Below This Line

Assessment Use Only - Do Not Write Below This Line

Assessment Use Only - Do Not Write Below This Line

Assessment Use Only - Do Not Write Below This Line

Assessment Use Only - Do Not Write Below This Line

Assessment Use Only - Do Not Write Below This Line

 IMP FD SURE \$ 5.00
 RECORDING FEE 20.00
 RECORDATION 750.00
 TR TAX STATE 750.00
 TOTAL 1,525.00
 Regd B482 RCP # 33779
 SH LL Bk # 3131
 Jun 24, 1998 01:01 PM

Consideration Amount		Finance Office Use Only	
Purchase Price/Consideration	\$150,000.00	Transfer and Recordation Tax Consideration	
Any New Mortgage	\$130,000.00	Transfer Tax Consideration	\$ 150,000.00
Balance of Existing Mortgage		X () % = \$	250.00
Other:	\$	Less Exemption Amount = \$	330.00
Other:	\$	Total Transfer Tax = \$	19.20.00
Full Cash Value	\$	Recordation Tax Consideration	\$
		X () per \$500 = \$	
		TOTAL DUE	\$
Amount of Fees	Dec. 1	Dec. 2	Agent: <i>Est</i>
Recording Charge	\$	\$	Tax Bill: _____
Surcharge	\$	\$	C.B. Credit: _____
State Recordation Tax	\$	\$	Ag. Tax/Other: _____
State Transfer Tax	\$	\$	
County Transfer Tax	\$	\$	
Other	\$	\$	
Other	\$	\$	
District	Property Tax ID No. (1)	Grantor Liber/Folio	Map
04	04-18072015		
Subdivision Name	Lot (3a)	Block (3b)	Section/AE(3c)
Location/Address of Property Being Conveyed (2)			
19 Hanover Road, Reisterstown, MD 21136			
Other Property Identifiers (if applicable)			
Water Meter Account No.			
Residential ☒ or Non-Residential ☐ For Single ☒ or Ground Rent ☐ Amount:			
Partial Conveyance? ☐ Yes ☐ No Description/Amt. of SqFt/Acreage Transferred:			
If Partial Conveyance, List Improvements Conveyed:			
Dec. 1 - Grantor(s) Name(s)		Dec. 2 - Grantor(s) Name(s)	
Clyde A. Strang & Christine B. Johansson			
Dec. 1 - Owner(s) of Record, if Different from Grantor(s)		Dec. 2 - Owner(s) of Record, if Different from Grantor(s)	
John D. Heim and Laura Starr			
New Owner's (Grantor) Mailing Address			
19 Hanover Road, Reisterstown, MD 21136			
Dec. 1 - Additional Names to be Indexed (Optional)		Dec. 2 - Additional Names to be Indexed (Optional)	
Instrument Submitted By or Contact Person			
☒ Return to Contact Person			
☐ Hold for Pickup			
☐ Return Address Provided			
Name: Andrew F. Kagen			
Firm: Kagen, MacDonald & France			
Address: 2675 Eastern Blvd.			
York, PA 17402 Phone: (717) 757-4565			
Assessment Information			
Yes ☒ No Will the property being conveyed be the grantor's principal residence?			
Yes ☒ No Does transfer include personal property? If yes, identify:			
Yes ☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).			
Assessment Use Only - Do Not Write Below This Line			
Full, Partial Verification ☐ Agricultural Verification ☐ White ☐ Part ☐ Trans. Process Verification ☐			
Tract Number	Date Received	Deed Reference	Assessed Property No.
Year	10	10	
Lot		Geo.	Map
Section		Zone	Grid
Total		Use	Parcel
		Tract Cd.	Ex. Rt.
			Ex. Cd.
			Block
			Lot
			Section
			Qtr. Cd.

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 04 Account Number - 0418072075		
Owner Information		
Owner Name:	HEIM JOHN D HEIM LAURA D 19 HANOVER RD REISTERSTOWN MD 21136-1042	Use: COMMERCIAL Principal Residence: YES Deed Reference: 1) /26890/ 00648 2)
Mailing Address:		
Location & Structure Information		
Premises Address:	19 HANOVER RD REISTERSTOWN MD 21136-1018	Legal Description: .50 AC 19 HANOVER RD WS 300 NW WESTMINISTER PIK
Map: 0048	Grid: 0010	Parcel: 0740
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	Above Grade Enclosed Area	Finished Basement Area
	3032	21,780 SF
Property Land Area	County Use	
	06	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2014
Land:	116,700	116,700
Improvements	900	900
Total:	117,600	117,600
Preferential Land:	0	0
Transfer Information		
Seller: HEIM JOHN D	Date: 04/15/2008	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26890/ 00648	Deed2:
Seller: JOHANSSON CHRISTINE B	Date: 06/24/1998	Price: \$150,000
Type: ARMS LENGTH IMPROVED	Deed1: /12965/ 00147	Deed2:
Seller: BELL EDMUND BEL L CATHERINE	Date: 08/12/1986	Price: \$75,000
Type: ARMS LENGTH IMPROVED	Deed1: /07266/ 00195	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
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: Application received		

Sherry A. Burns
27 Hanover Rd.
Reisterstown, MD. 21136

December 5, 2013

PETITIONER'S

EXHIBIT NO.

4

c/o Smith, Gildea & Schmidt, LLC.
600 Washington Ave. Suite 200
TOWSON, MD. 21204

MR. LARRY SCHMIDT,

My name is Sherry A. Burns. I have lived at 27 Hanover Rd. since August 1996. I have personal knowledge that the property located at 19 Hanover Rd. has been used residentially for 28 years. I have lived in Reisterstown, MD my whole life and I am 45 years old. In 1985, I was friends with a person named Mike Schumacher. He lived in an apartment on the second floor of 19 Hanover Rd. I visited him often. In 1988, I was good friends with a person named Mike McClure who lived in an apartment on the first floor of 19 Hanover Rd. I bought my house at 27 Hanover Rd. in 1996 and John and Laura Heim bought 19 Hanover Rd. around the same time. In the 17 years that we have been neighbors and friends I have personal knowledge that 19 Hanover Rd. has been used

2

- . Residentially for all of those 17 years.
- . My neighbors and I want to have John Heim and his family living in their home at 19 Hanover Rd. as soon as possible.

Sincerely,

JAB

2/4/13

April Freeman & Chris Ashley
33 Hanover Rd
Reisterstown, MD 21136

Smith, Gildea, & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204

To Larry Schmidt,

My name is April Freeman. I have lived at 33 Hanover Rd for 7 yrs. I have personal knowledge that the property located at 19 Hanover Rd has been used residentially for multiple tenants. John Heim & a few renters.

Thanks & Sincerely,

April Freeman



Chris Ashley



December 5, 2013

Christine B. Phanson
230 Main St.
Reisterstown, Md. 21136

Dear Larry Schmidt:

My name is Christine B. Phanson owner of
Tina's Antiques & Jewelry. I have lived in
Reisterstown, Maryland 21136 since 1974 and
have been in business for 39 years at 237-239
Main St., Reisterstown, Md. 21136

I have personal knowledge that the property
known as 19 Hanover Road, Reisterstown, Md.
21136 has been rented as three apartments
and one commercial antique shop.

My husband, Clyde Strang of York, Pa
and myself sold the property to John Heim
and Laura Starr Heim sometime around 1996.

All papers for settlement were given to the settlement
official. The zoning was BL at the time.

Sincerely
Christine B. Phanson

Jonny Smith,

My name is Mark Guy. I lived at 19 Hamner Rd. Reisterstown, Md. for 6 years 1998-2003. I have personal knowledge that the property at 19 Hamner Rd. has been used residentially for the time from 1998-2013.

Sincerely,

Mark C Guy

Dec 4, 2013

To Larry Schmidt, Esq.

My name is Lily Platt. My daughter lived in a rental unit at 19 Hammer Rd, Apt 1A from 1999 to 2003.

Lily Platt

December 4, 2013

Linda Fornes
P.O. Box 131
Reisterstown, Maryland

21136

Smith, Gilder & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, Maryland

21204

Dear Mr. Larry Schmidt:

My name is Linda Fornes. I lived at 19 Hanover Road, Reisterstown, Maryland from February, 1993 to June, 1995. I have personal knowledge that the property located at 19 Hanover Road has been used residentially as a three-apartment dwelling.

Sincerely,

Linda Fornes

1101 Berryman Lane
Reisterstown, Maryland 21136

December 9, 2013

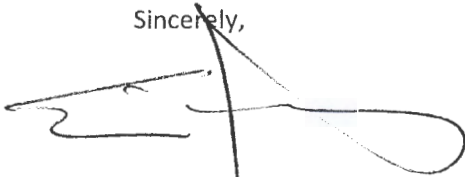
Smith, Gildea & Schmidt, LLC
600 Washington Ave. Suite 200
Towson, MD 21204

Re: 19 Hanover Road

Dear Larry Schmidt,

My name is Elias Rizakos. I have owned #17 & #10 Hanover
Road Reisterstown, Maryland 21136 property adjacent to 19 Hanover Road for 17 years. I
have personal knowledge that the property located at 19 Hanover Road has been used residentially for
17 years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elias Rizakos', with a long horizontal stroke extending to the right.

Dec. 24, 2013

JOHN T. NOYES

DEC 4, 2013

26 HANOVER RD

REISTERSTOWN MD 21136

410 977 6988

SMITH, GILDEA + SCHMIDT, LLC

600 WASHINGTON AVE

SUITE 200

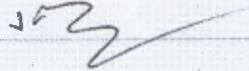
TOWSON MD 21204

MR LARRY SCHMIDT:

My name is JOHN T. NOYES. I HAVE
LIVED AT 26 HANOVER RD FOR NEARLY
10 YEARS. I HAVE PERSONAL KNOWLEDGE
THAT THE PROPERTY LOCATED AT 19 HANOVER RD
HAS BEEN USED RESIDENTIALLY FOR ALL THE
TIME I HAVE LIVED HERE.

SINCERELY

JT NOYES



Wayne Yinger

22 Hanover Road

Reisterstown, MD 21136

To whom it may concern,

I have lived at the above address since the spring of 1998. During the entire time of my residence, John Heim has been a neighbor residing directly across the street.

Wayne Yinger

410.905.2757

MR SCHMIDT
 From
 John Heim

410 Hansen Rd.

Piscataway, NJ 08854

Dec. 20, 2013

To Smith, Giddens, Schmidt, J. H.C.
 Suite 300
 Piscataway, NJ 08854

My name is Leonard J. Bollinger, I live
 at 40 Hansen Rd. and have been here
 at this address since 1983 and in
 Piscataway since 1957. I sell the
 time I have never known the
 property at 19 Hansen Rd. to be sent
 for anything but residential.

Sincerely
 Leonard J. Bollinger

Phone # 410-833-1110

Your Address

December 4, 2013

SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204

As to the neighbors that can attest to the non-confirming use, here is all the letter needs to say.

Address to Larry Schmidt:

My name is Robert W. Satuma I have lived at
43 Hanover Rd. for 45 yrs. I have personal
knowledge that the property located at 19 Hanover Road has been used residentially for
at least 45 years.

Sincerely,

Bob Satuma

IN RE: PETITION FOR VARIANCE

W side of Hanover Road; 300 feet N
of Westminster Pike
11th Election District
3rd Councilmanic District
(19 Hanover Road)

John D. and Laura D. Heim
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2010-0155-A

* * * * *

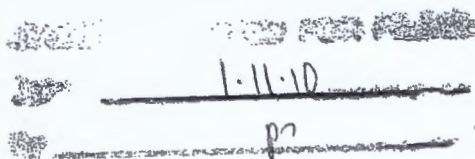
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, John and Laura Heim. Petitioners are requesting Variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure with a height of 23.5 feet in lieu of the permitted 15 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Petitioner John Heim. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular in shape and contains approximately 0.5 acre, more or less, zoned B.M. (Business, Major). The property is located on the west side of Hanover Road, just north of the intersection of Westminster Pike (Route 140) and Main Street in the historic Reisterstown area of Baltimore County. The property is currently improved with an existing dwelling and a garage. The property is also improved with a partially completed shed that is the subject of the instant zoning relief.

Petitioner has resided at the property for the past 12 years. The three-story home has three apartments. The first floor is separated into two apartments and the second and third floors


1-11-10
pr

PETITIONER'S

EXHIBIT NO. 5

and basement consist of Petitioner's residence. Petitioner began construction of the subject shed located to the rear of the property a number of months ago. During the fall, Petitioner was informed by a Baltimore County Code Inspector that the height of the shed exceeded the 15 foot height permitted by the Zoning Regulations; hence Petitioner filed the instant Petition.

In support of the requested relief, Petitioner described the unusual characteristics of his property. He indicated that although his property is zoned for business/commercial uses, it has always been used as a residence, albeit with three apartment units. In fact, the zoning map that was marked and accepted into evidence as Petitioner's Exhibit 2 shows the zoning immediately adjacent to and north of the subject property is D.R.3.5. The properties above the subject property are used residentially, while the uses just below the property to the south are used commercially and include a large Royal Farms Store with a fuel service station at the northwest corner of Westminster Pike and Main Street. In effect, the subject property serves as a buffer for the residential developments to the north from the commercial uses to the south.

By way of illustration, photographs of the area surrounding the subject property were submitted by Petitioner and marked and accepted into evidence as Petitioners' Exhibits 3A through 3J. They show that adjacent to the rear of Petitioner's property is a Napa Auto Parts store with a sea container and dumpster located to the rear of that property, next to the location of Petitioner's shed. Just south of Petitioner's property is an apartment house that sits close to the property line, and also a dumpster that sits right at the property line. The photographs also show the aforementioned Royal Farms Store property.

Petitioner desires to build the shed at the height of 23.5 feet in order to store the equipment and "junk" that he has strewn about his property. He is a small contractor and the shed will allow him to clean up his yard of tools and shop equipment and organize his property.

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

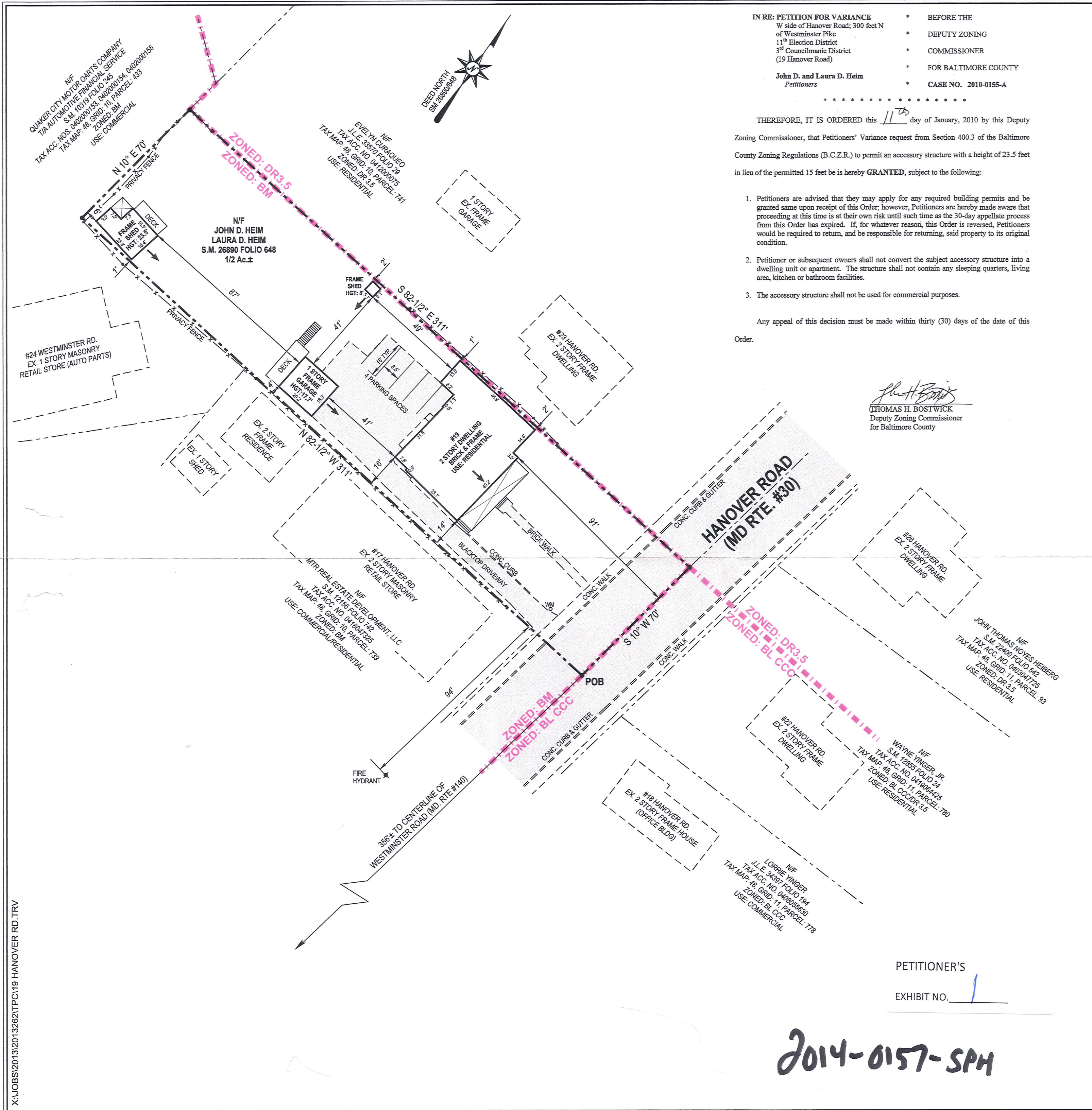
THEREFORE, IT IS ORDERED this 11th day of January, 2010 by this Deputy Zoning Commissioner, that Petitioners' Variance request from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure with a height of 23.5 feet in lieu of the permitted 15 feet be is hereby **GRANTED**, subject to the following:

1. Petitioners are advised that they may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



IN RE: PETITION FOR VARIANCE
W side of Hanover Road; 300 feet N
of Westminster Pike
11th Election District
3rd Councilmanic District
(19 Hanover Road)

John D. and Laura D. Heim
Petitioners

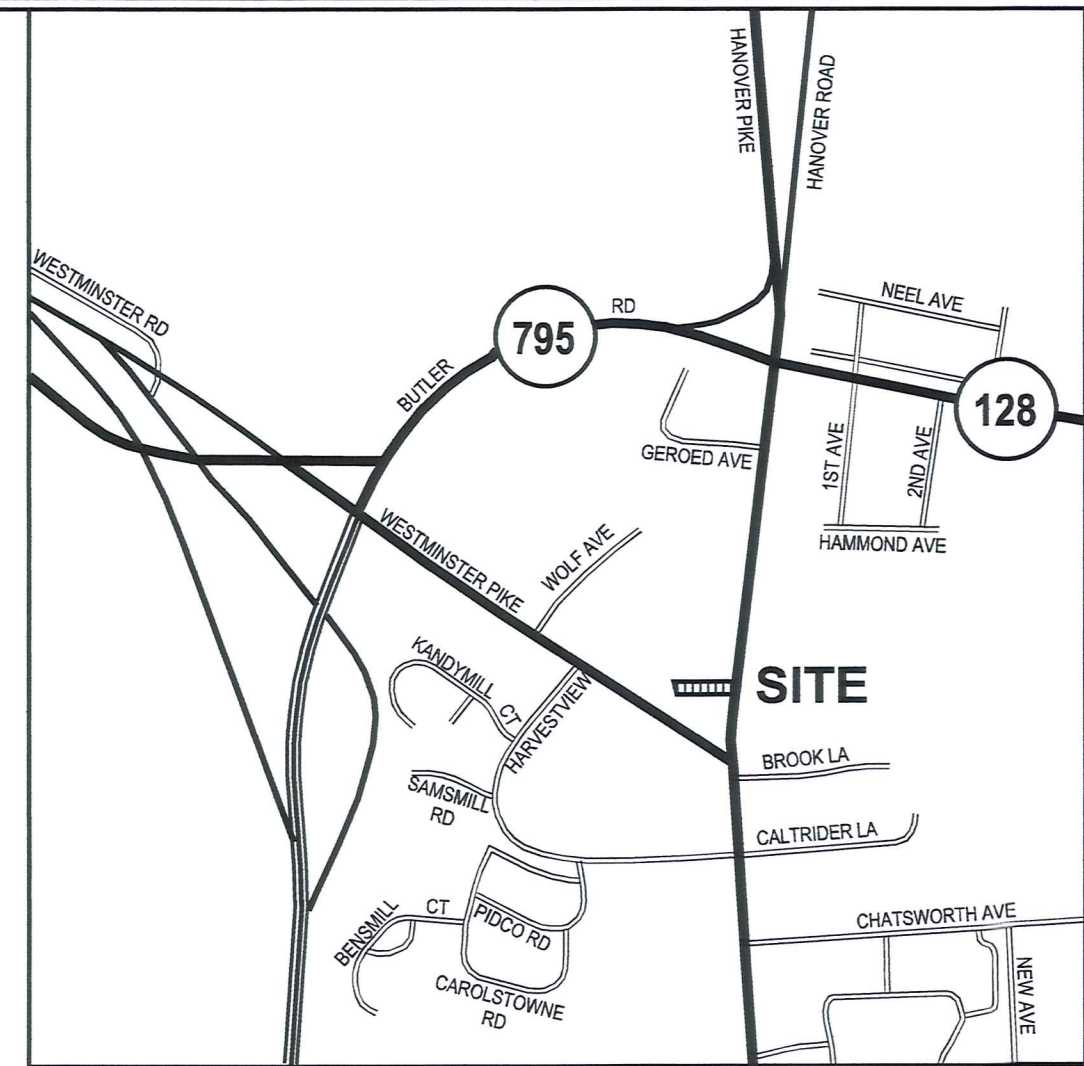
BEFORE THE
DEPUTY ZONING
COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO. 2010-0155-A

THEREFORE, IT IS ORDERED this 11th day of January, 2010 by this Deputy Zoning Commissioner, that Petitioners' Variance request from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure with a height of 23.5 feet in lieu of the permitted 15 feet be is hereby GRANTED, subject to the following:

1. Petitioners are advised that they may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
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THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County



VICINITY MAP
SCALE: 1" = 1,000'

NOTES:

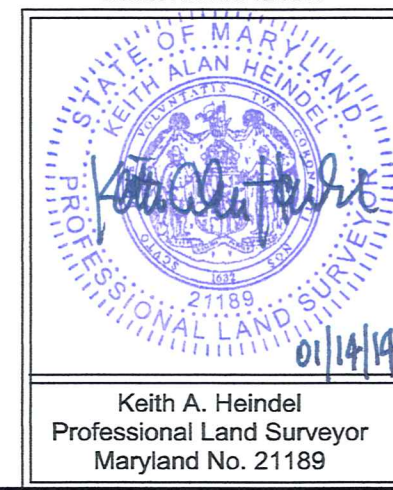
1. OWNERS: JOHN D. HEIM & LAURA D. HEIM
19 HANOVER ROAD
REISTERSTOWN, MD 21136
2. TITLE REFERENCE: S.M. 26890 FOLIO 648, MARCH 18, 2008
3. TAX ACCOUNT NO: 0418072075
4. TAX MAP: 48, GRID: 10, PARCEL: 740
5. ZONING MAPS: 048b1 & 048c1
6. CURRENT ZONING: BM
7. SITE AREA:
GROSS: 21,780 SQ. FT. or 0.50 Ac.±
NET: 21,780 SQ. FT. or 0.50 Ac.±
8. AREA OF BUILDINGS:
EXISTING DWELLING: 2,272 SQ. FT.
EXISTING GARAGE: 372 SQ. FT.
EXISTING SMALL SHED: 26 SQ. FT.
EXISTING LARGE SHED: 340 SQ. FT.
9. UTILITIES:
WATER: PUBLIC
SEWER: PUBLIC
10. THIS SITE DOES NOT LIE WITHIN A 100-YEAR FLOODPLAIN, AS SHOWN ON F.I.R.M. #2400 0205F.
11. REGIONAL PLANNING DISTRICT: 306
12. CENSUS TRACT: 404401
13. WATERSHED: LIBERTY RESERVOIR & GWYNNS FALLS
14. THIS SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
15. THIS SITE LIES WITHIN THE REISTERSTOWN HISTORIC DISTRICT.
16. THIS SITE DOES NOT LIE WITHIN ANY FAILED BASIC SERVICES MAP AREAS.
17. PREVIOUS ZONING HEARING: 2010-0155-A
18. NO SIGNAGE PROPOSED AT THIS TIME; HOWEVER ANY FUTURE SIGNAGE TO COMPLY WITH SECTION 450 OF THE BCZR AND ALL ZONING SIGN POLICIES.
19. PARKING SUMMARY:
TOTAL SPACES PROVIDED: 6 (2 SPACES IN GARAGE)
TOTAL SPACES REQUIRED: 5

SPECIAL HEARING TO APPROVE THE NONCONFORMING USE OF THE PROPERTY FOR THREE RESIDENTIAL APARTMENTS, PURSUANT TO BCZR SECTION 104.1 AND TO PERMIT THE RECONSTRUCTION OF A BUILDING ON THE FOOTPRINT OF A BUILDING DAMAGED/DESTROYED BY CASUALTY PURSUANT TO BCZR SECTION 104.2.

PLAN TO ACCOMPANY
ZONING HEARING
#19 HANOVER ROAD
REISTERSTOWN, MARYLAND 21136

4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
3RD COUNCILMANIC DISTRICT
TAX MAP: 48, GRID: 10, PARCEL: 740

License Renewals: 12/31/15



Professional Surveys		194 E. Main Street 2nd Floor Westminster, MD 21157 Phone 410-751-8795 fax 410-751-8796
DRAWING NAME: ZONING PLAN		
SCALE: 1"=30'	DATE: 01/14/14	DRAWN BY: KAH
JOB: 2013-262	CHECK BY: KAH	SHEET: 1/1

PETITIONER'S

EXHIBIT NO. 1

2014-0157-SPH