



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

May 26, 2023

Michael and Melanie Ganter – mfganter@gmail.com
107 Ridgefield Road
Timonium, MD 21093

RE: Petition for Administrative Variance
Case No. 2023-0092-A
Property: 107 Ridgefield Road

Dear Mr. and Mrs. Ganter:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(107 Ridgely Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Michael & Melanie Ganter	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0092-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Michael and Melanie Ganter (“Petitioners”). The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”) § 1B02.3.B (Section III C.4 “A” Residence Zone, 1955): To permit a 10 ft. rear yard depth at any one point in lieu of 15 ft. for an attached one-story garage. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability, dated May 8, 2023, which will be incorporated into this Order.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 7, 2023, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in

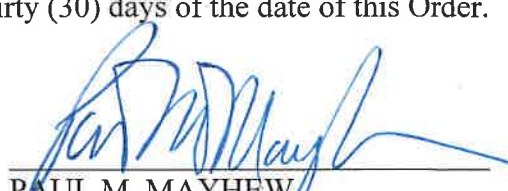
the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

THEREFORE, IT IS ORDERED, this 26th day of **May, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR") § 1B02.3.B (Section III C.4 "A" Residence Zone, 1955): To permit a 10 ft. rear yard depth at any one point in lieu of 15 ft. for an attached one-story garage, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their 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.
- Petitioners must comply with the DEPS comment, dated May 8, 2023, which is attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlw



ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 107 Ridgfield Road Currently Zoned DR5.5
Deed Reference 37894, 00233 10 Digit Tax Account # 0919272350
Owner(s) Printed Name(s) Michael & Melanie Ganter

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 17302.3.B. (Section III, C.4. "A" Residence Zone, 1955) to permit a 16-foot rear yard depth at any one point in lieu of 15 feet for an attached one-story garage.

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

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Michael Ganter, Melanie Ganter
Name #1 – Type or Print Name #2 – Type or Print

[Signature], Melanie Ganter
Signature #1 Signature #2

107 Ridgfield Road Timonium MD
Mailing Address City State

210931 202-615-5311 mfganter@gmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Owner(s)/Petitioner(s):

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be Contacted:

Above
Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2023-0092-A Filing Date 4/25/2023 Estimated Posting Date 5/17/23 Reviewer MSK

Closing 5/22/23

Revised 7/2022

THE ZONING PETITION PROPERTY DESCRIPTION Three (3) typed copies (separate pages) of the zoning description of the property is required. Standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, are too wordy but some of the information must be used. (Note: Old deed information such as perches or a stone, etc. cannot be used as is.) Read your deed, your location survey and your State Assessment record to determine which of the three options you should use. DO NOT PHOTOCOPY THE DESCRIPTION IN THE DEED. The zoning property description must comply with Part A and Part B: PART A (START DESCRIPTION WITH THE FOLLOWING): ZONING PROPERTY DESCRIPTION FOR 107 Ridgefield Road (address or location)

*Beginning at a point on the North side of Ridgefield Road which is the right of way is 50 feet wide at the distance of 35 feet East of the centerline of the nearest improved intersecting street Felton Road which the right of way is 50 feet wide.

2023-0092-A

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

No. 220027

Date: 9/14/23

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					\$75

Total: \$75

Rec

From: MICHAEL CARTER

For:

VERIGNE 107 RIDGEFIELD RD

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

#2023-0092-A

CASHIER'S
VALIDATION

SC

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023-0092 -A Address 107 Ridgely Road

Contact Person: Mitch Kellman Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/25/2023 Posting Date: 5/7/2023 Closing Date: 5/22/2023

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023-0092 -A Address 107 Ridgely Road

Petitioner's Name: Michael & Melanie Gauster Telephone (Cell) 202-615-5311

Posting Date: 5/7/2023 Closing Date: 5/22/2023

Wording for Sign: To Permit a 10-foot rear yard depth at any one
point in lieu of 15 feet for an attached one-story
garage.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW OFFICE

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2023-0092-A
Property Address: 107 Ridgely Road
Timonium, MD 21093
Legal Owners (Petitioners): Michael & Melanie Ganter
Contract Purchaser/Lessee: N/A

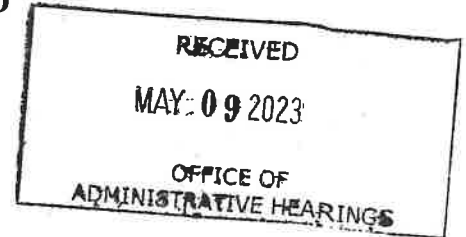
PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Michael & Melanie Ganter
Address: 107 Ridgely Road
Timonium, MD 21093
Telephone Number: 202-615-5311

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 8, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0092-A
Address: 107 RIDGEFIELD RD
Legal Owner: Michael & Melanie Ganter

Zoning Advisory Committee Meeting of May 8, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

- The entire lot is within the Forest Buffer associated with Long Quarter Branch. Construction of the garage would necessitate the granting of a Forest Buffer variance in accordance with §33-3-106(a)(1) of the County Code. This variance must be granted prior to EPS approval of any building permit.

Reviewer: Jannifer Anderson

Date May 3, 2023

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: June 7, 2023

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2023
Item No. 2023-0088-SPH

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPW&T Comments:

Lot Line adjustments are considered development according to county code. A riverine flood plain that meets the qualifications of a Baltimore County flows overland on the property. Based on Baltimore County Code 32-4-414, development in a riverine flood plain is prohibited. A riverine flood study based on ultimate land use conditions according to the Department of Permits, Approvals and Inspections Bureau of Development Plans Review (DPR) Policy Manual and DPW&T Design Manual must be submitted and "Accepted for Filing" by DPR before the approval of the Special Hearing.

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VKD: cen

cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director

DATE: June 7, 2023

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2023
Item No. 2023-0089-SPH

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPW&T Comments:

Lot Line adjustments are considered development according to county code. A riverine flood plain that meets the qualifications of a Baltimore County flows overland on the property. Based on Baltimore County Code 32-4-414, development in a riverine flood plain is prohibited. A riverine flood study based on ultimate land use conditions according to the Department of Permits, Approvals and Inspections Bureau of Development Plans Review (DPR) Policy Manual and DPW&T Design Manual must be submitted and "Accepted for Filing" by DPR before the approval of the Special Hearing.

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VKD: cen

cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: June 7, 2023

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2023
Item No. 2023-0092-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPW&T Comments:

A riverine flood plain that meets the qualifications of a Baltimore County flows overland very close to the property. Based on Baltimore County Code 32-4-414, development in a riverine flood plain is prohibited. A riverine flood study based on ultimate land use conditions according to the Department of Permits, Approvals and Inspections Bureau of Development Plans Review (DPR) Policy Manual and DPWT Design Manual must be submitted and "Accepted for Filing" by DPR before the approval of the Administrative Variance for the addition. The proposed addition must also meet DPW&T Design Manual Plate DF-1.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals
VKD

DATE: June 7, 2023

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2023
Item No. 2023-0090-A, 0091-A, 0093-A

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

* * * * *

VKD: cen
cc: file

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 09 Account Number - 0919272350

Owner Information

Owner Name:	GANTER MELANIE G GANTER MICHAEL F II	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	107 RIDGEFIELD RD LUTH-TIMONIUM MD 21093	Deed Reference: /37894/ 00233

Location & Structure Information

Premises Address:	107 RIDGEFIELD RD LUTH-TIMONIUM 21093-	Legal Description: DULANEY VILLAGE
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Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1
0081 0020 0354 9070076.04 0000 G 1 2023 Plat Ref: 0022/ 0054

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1956	1,971 SF		10,561 SF	04

Stories	Basement Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	NO	SPLIT LEVEL BRICK/	4	2 full	

Value Information

	Base Value	Value As of 01/01/2023	Phase-in Assessments As of 07/01/2022 As of 07/01/2023	
Land:	104,600	114,500		
Improvements	241,300	304,700		
Total:	345,900	419,200	345,900	370,333
Preferential Land:	0	0		

Transfer Information

Seller: SELLS MARY M	Date: 08/19/2016	Price: \$330,000
Type: ARMS LENGTH IMPROVED	Deed1: /37894/ 00233	Deed2:

Seller:	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /03055/ 00167	Deed2:

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

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 12/22/2020

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0092-A



View from Ridgefield Road looking at the front right of the house where the proposed garage will go.



2023-0093-A

View from the sidewalk of Ridgefield Road showing the front right corner of the house.
The proposed garage will go on the right of the house.



2023-0092-A

View from the right side yard showing where the proposed garage will go.



2023-0092-A

View from the back right corner of the house showing where the proposed garage will go.



2023-0092-A

View from Ridgefield Road looking at the front right of the house where the proposed garage will go.



2023-0092-A

View from the sidewalk of Ridgefield Road showing the front right corner of the house. The proposed garage will go on the right of the house.



2023-0092-A

View from the right side yard showing where the proposed garage will go.



2023-0092-A

View from the back right corner of the house showing where the proposed garage will go.



2023-0092-A

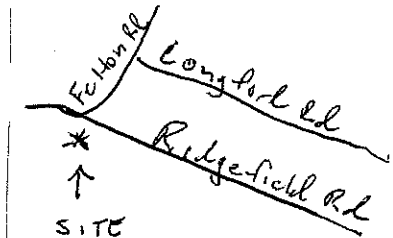
View from the back right corner of the house showing where the proposed garage will go.



2023-0092-A

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
Address 107 Ridgefield Road Owners(s) Name(s) Michael & Melanie Ganter
Subdivision Name Dulaney Village Lot # 1 Block # G Section # N/A
Plat Book # 0022 Folio # 0054 10 Digit Tax # 0919272350 Deed Reference# 37894 / 00233

Site Vicinity Map



MAP IS NOT TO SCALE

Zoning Map # 061A3

Zoning DR 5.5

Election District 9

Council District 3

Lot Area Acreage .24

Lot Square Footage 10,561

Historic (Yes or No) No

CBCA (Yes or No) No

Flood Plain (Yes or No) No

Utilities - Mark with (X)

Water is:

Public X Private _____

Sewer is:

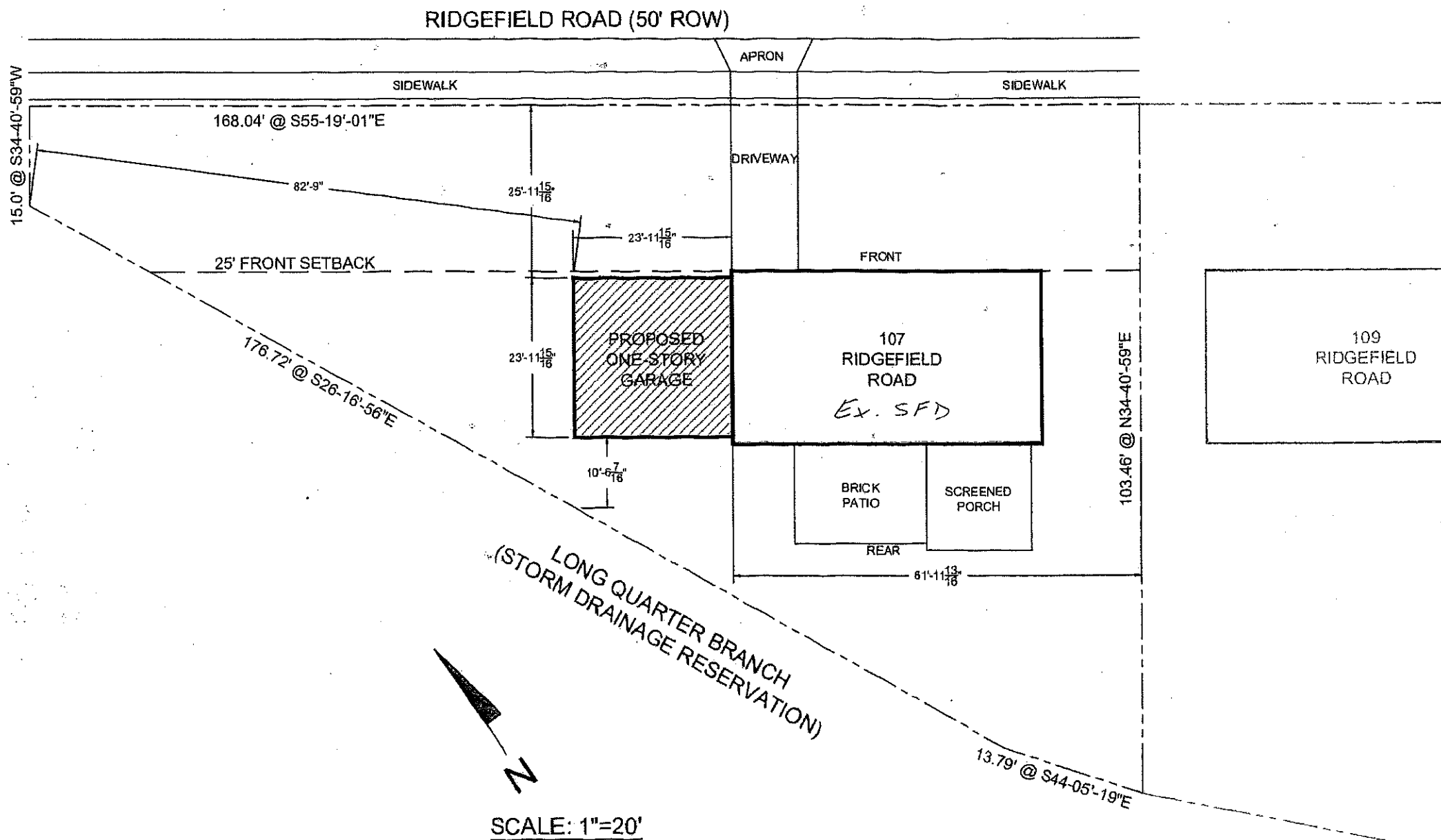
Public X Private _____

Prior Hearing (Yes or No) No

If (Yes) list Case Number(s)
and order result(s) below:

Violation Case Number(s)

N/A



2023-0092-A

Plan Drawn By Owner

Date 4/25/2023 Scale: 1 inch = 20' Feet