

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 11/9/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-233-A

INFORMATION:

Property Address: 2431 Hartfell Road
Petitioner: Roger A. Schwarb Jr., Mary Rose Schwarb
Zoning: DR 3.5
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance -

1. From Section 1B02.3.B of the Baltimore County Zoning Regulations (BCZR) (1963 Regulations Sections 208.3, R. 10) to permit a sum total 20' side yard setback in lieu of the required 25' sum total.

The subject site is an approximately 16,461 square foot parcel in the Lutherville-Timonium area. It is improved with a two-story, single family detached dwelling and a concrete driveway. The lot is relatively rectangular in shape, with the dwelling located closer to the northern property line dividing the subject site and 2433 Hartfell Road, rather than being centered on the property.

Per the petition and site plan, the Petitioners wish to construct a one-story addition to the south and east of the home to create a two-car garage and additional living space (a mud/laundry room, bathroom, and great room). The proposed location of the addition is as such so the Petitioners will not need to adjust their driveway to access the proposed garage. The existing dwelling and part of the driveway are proposed to remain. Proposed architecture is shown at the bottom of the site plan.

Uses surrounding the subject site vary. North of the subject site is primarily Dulaney Valley Memorial Gardens, a cemetery. East of the subject site is Pot Spring Elementary School. South and west of the subject site are primarily single family detached residential dwellings on similarly sized lots. The dwellings range in size from one- to two-stories, and there is a mix of dwellings with no attached garages, with one-car attached garages, and with two-car attached garages.

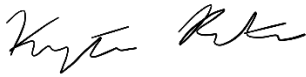
In researching past Zoning Cases in the vicinity of the subject site, the Department of Planning found multiple past Variances in the area for front, rear, and side yard setbacks. Most similar to the case at hand was Zoning Case 1973-280 for 105 Padonia Road, which requested a side yard setback of 6' in lieu of the required 10' to allow for the construction of an attached garage. The relief was granted.

The subject site is within the boundary of the Hunt Valley/Timonium Master Plan, adopted October 19th, 1998. Per Map 1 on page 2 of the plan, the subject site is within the Impact Area of the plan, not the Focus Area of the plan. The plan outlines strengths, weaknesses, and recommendations within the plan area, including protecting the communities surrounding the Focus Area from encroachment, protecting the character of the neighborhoods, and ensuring design quality, specifically within the Focus Area.

The decreased sum side yard setback is minimal, the proposed architecture appears consistent with the existing dwelling and the surrounding neighborhood, and the location of the addition will allow the location of the driveway to remain unchanged. Because of this, the Department of Planning has no objections to the requested relief.

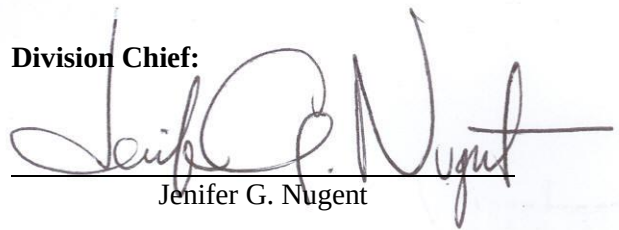
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Bruce E. Doak
David Birkenthal, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

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: November 13, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0233-A
Address: 2431 HARTFELL RD
Legal Owner: Roger & Mary Rose Schwarb

Zoning Advisory Committee Meeting of November 13, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn



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 2431 HARTFELL ROAD

which is presently zoned _____

Deed References: 35541/375

10 Digit Tax Account # 0801013361

Property Owner(s) Printed Name(s) ROGER A. SCHWAB JR & MARY ROSE SCHWAB

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. **X** a **Variance** from Section(s)

SEE ATTACHED PAGE

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 THE HEARING

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

ROGER A. SCHWAB JR. MARY ROSE SCHWAB

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2431 HARTFELL ROAD LUTHERVILLE MD

Mailing Address

City

State

21093

Zip Code

443-829-9227

Telephone #

Email Address

MRSCHWAB@YAHO.COM

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREDLAND MD

Mailing Address

City

State

21053

Zip Code

410-419-4906

Telephone #

Email Address

BDOAK@BRUCEGDOAKCONSULTING.COM

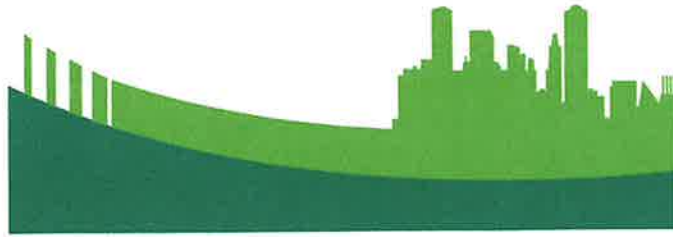
CASE NUMBER 1023-0233-A

Filing Date 11/2/23

Do Not Schedule Dates: _____

Reviewer SC

BCZR 1B02.3.B (1963 Regulations Sections 208.3, R.10): To permit a sum total 20' side yard setback in lieu of the required 25' sum total.2023



Zoning Description

2431 Hartfell Road
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the northeast side of Hartfell Road (60 feet wide) 115 feet, more or less, southeasterly from the intersection of the southeast side of East Padonia Road and the northeast side of Hartfell Road.

Being Lot 2 as shown on the plat entitled "Plat Two Section One Coachford" dated October 1963 and recorded in the land records of Baltimore County in Plat Book 29, page 99.

Containing 16,461 square feet of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2023-0233-A

**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/neighbor 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 fifteen (15) 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: 2013-0233-A

Property Address: 2431 HARTELL ROAD

Property Description: LOT 2 "COACHFORD" PLAT BOOK 29 / 99

Legal Owners (Petitioners): ROGER A. SCHWAB JR & MARY ROSE SCHWAB

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRUCE E. DOAK

Company/Firm (if applicable): BRUCE E. DOAK CONSULTING LLC

Address: 3801 BAKER SCHOOLHOUSE ROAD

FREELAND MD 2053

Telephone Number: 410-419-4906

Revised 5/20/2014

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

No. 228916

Date: 11/21/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0006		6156					\$ 75
Total:									\$ 75

Rec From: BRUCE DOAK

For: VARIANCE 2623-0233-A

2431 Hartford

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

SC

BRUCE E DOAK 12-12
BRUCE E DOAK CONSULTING
3801 BAKER SCHOOLHOUSE RD
FREELAND, MD 21053-9738

3054
15-3/540
429

10/26/23 Date

Pay to the Order of BALTIMORE COUNTY MD \$ 75.00
SEVENTY FIVE AND 00/100A

PNC BANK
PNC Bank, N.A. 040

For SCHWAB ZONING FEE Dollars

BE DO

1:0540000301: 533674106711 3054

Photo Safe Deposit®
Details on back

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 08 Account Number - 0801013361

Owner Information

Owner Name:	SCHWARB ROGER A JR SCHWARB MARY ROSE	Use:	RESIDENTIAL
Mailing Address:	2431 HARTFELL RD LUTHERVILLE TIMONIUM MD 21093-	Principal Residence:	YES
		Deed Reference:	/35541/ 00375

Location & Structure Information

Premises Address:	2431 HARTFELL RD LUTHERVILLE TIMONIUM 21093-	Legal Description:	COACHFORD
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	2
0052	0019	0090	8010014.04	0000	1	L	2	2023	Plat Ref:	0029/ 0099

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1967	2,255 SF		16,461 SF	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT	1/2 BRICK SIDING/4 SIDING	2 full/ 1 half			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2023	07/01/2024
Land:	133,100	133,100		
Improvements	240,700	277,200		
Total:	373,800	410,300	385,967	398,133
Preferential Land:	0	0		

Transfer Information

Seller: CR PROPERTY GROUP LLC	Date: 11/06/2014	Price: \$422,500
Type: ARMS LENGTH IMPROVED	Deed1: /35541/ 00375	Deed2:
Seller: ADAMIAK STANLEY	Date: 09/18/2014	Price: \$294,000
Type: ARMS LENGTH IMPROVED	Deed1: /35380/ 00074	Deed2:
Seller: WALTER S STEFANO WICZ & SONS INC	Date: 04/15/1968	Price: \$37,799
Type: ARMS LENGTH IMPROVED	Deed1: /04864/ 00604	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
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: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

2023-0233-A



GENERAL INFORMATION

- Ownership: Roger A. Schwarb, Jr. & Mary Rose Schwarb
2431 Hartfell Road Lutherville Timonium, MD 21093
- Address: 2431 Hartfell Road Lutherville Timonium, MD 21093
- Deed references: JLE 35541/ 375. Lot 2 "Plat Two Section One Coachford" PB 29/99
- Area: 16,461 sq. ft. (per SDAT)
- Tax Map / Parcel / Tax account #: 52 / 90 / 08-01-013361
- Election District: 8 Councilmanic District: 3
ADC Map: GIS tile: 052A3 Position sheet: 58NW1
Census tract: 408505 Census block: 24005408505
Schools: Pot Spring ES Ridgely MS Dulaney HS
Master Water Plan- W-1 Master Sewer Plan- S-1
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 052A3 and the information provided by Baltimore County on the internet.
- Improvements: 2 story single family dwelling & driveway. The existing dwelling and some of the driveway will remain.

OFFICE OF ZONING

Zoning: D.R. 3.5
Previously R 10 in 1963 when the plat was recorded
There are no previous zoning cases on the subject lot.

R 10 Setbacks for residential dwellings

Front: 55 feet from the centerline of the street
Side: 10 feet (min.) from the property line / sum of 25 feet
Rear: 30 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Loch Raven Reservoir URDL land type: 1

- The existing dwelling is currently served by public water and sewer.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

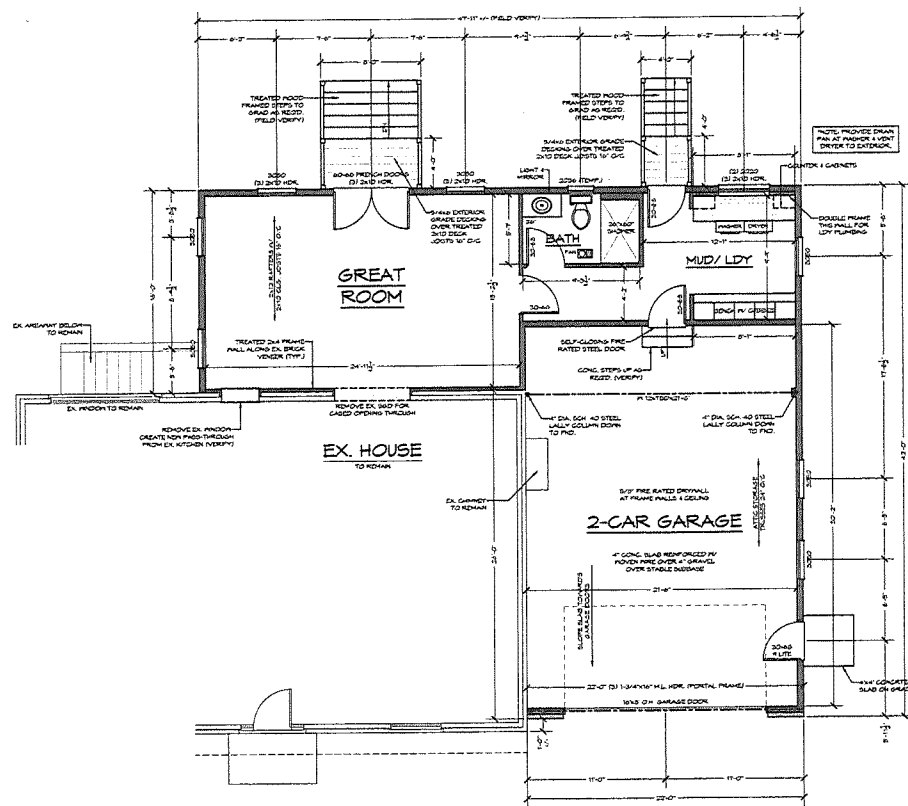
OFFICE OF PLANNING

Regional Planning District: Hereford / Maryland Line District Code: 301

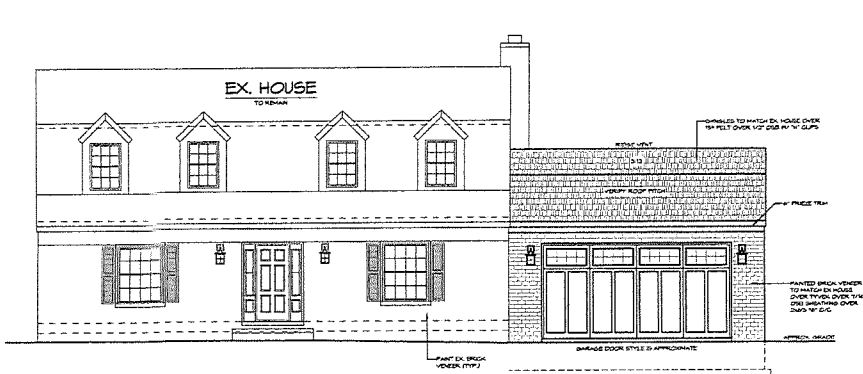
- The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

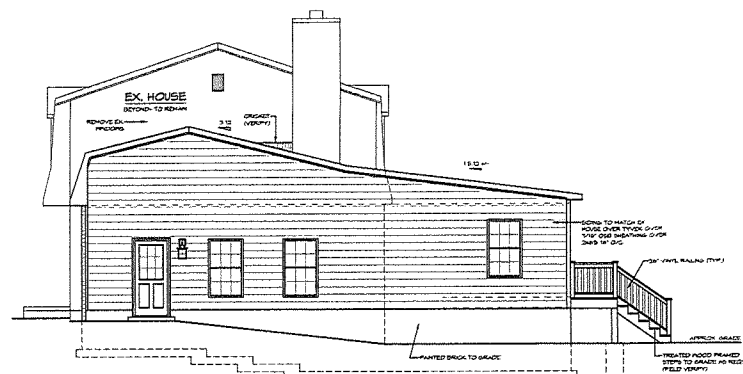
Construct an addition for a garage and living space for residential use.



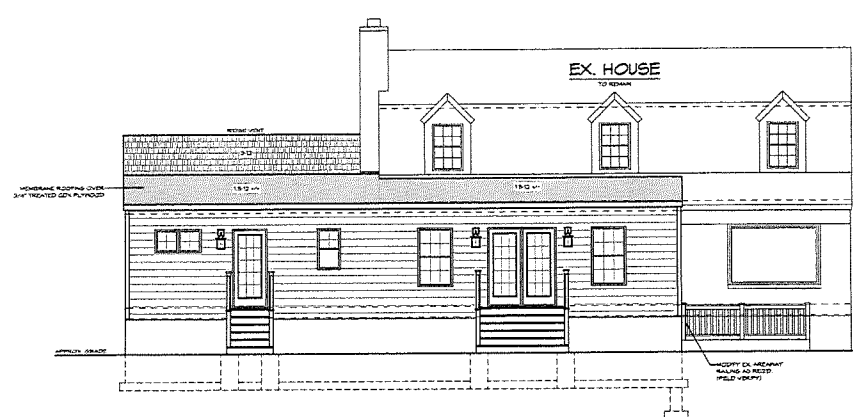
PARTIAL PROPOSED FIRST FLOOR PLAN



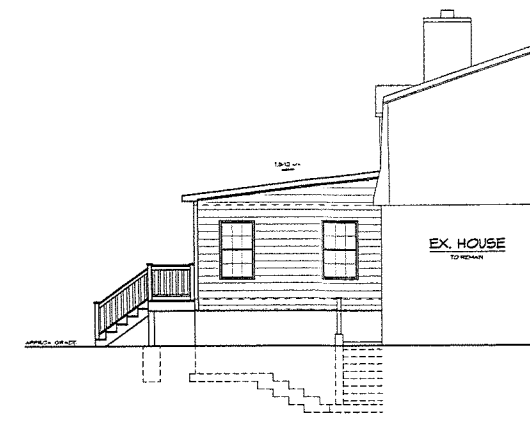
PROPOSED FRONT ELEVATION



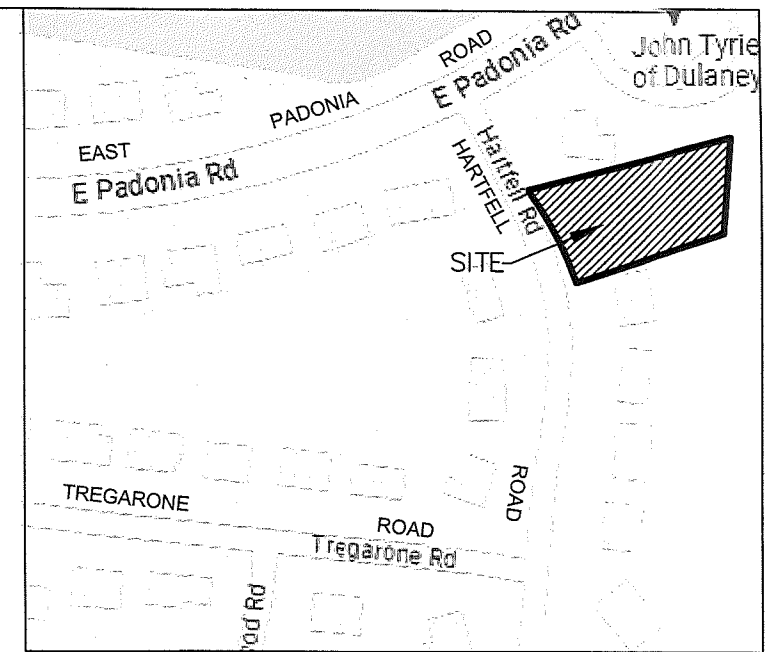
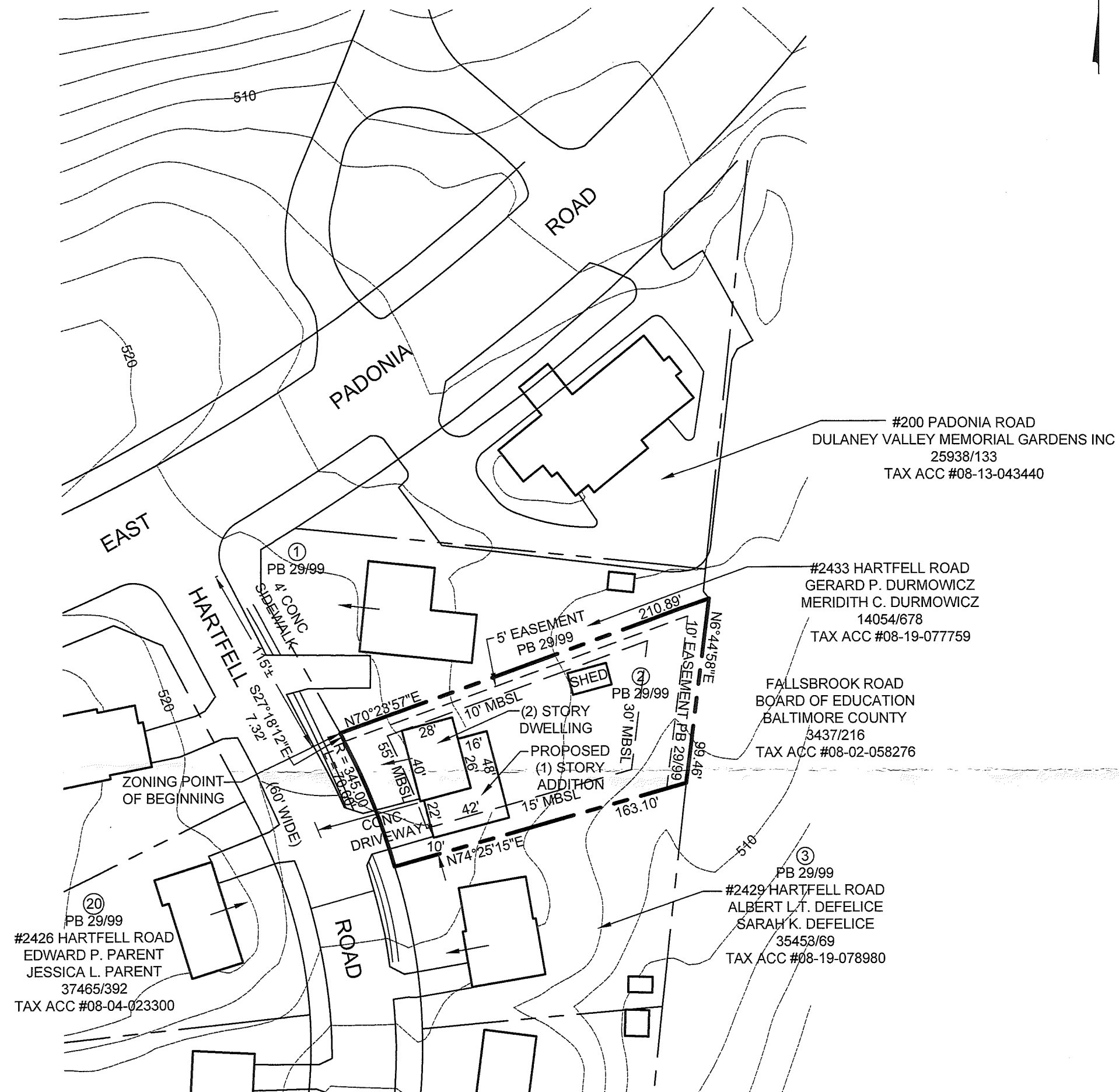
PROPOSED RIGHT SIDE ELEVATION



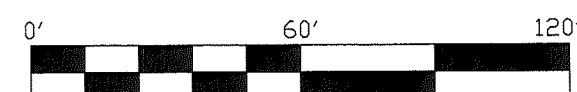
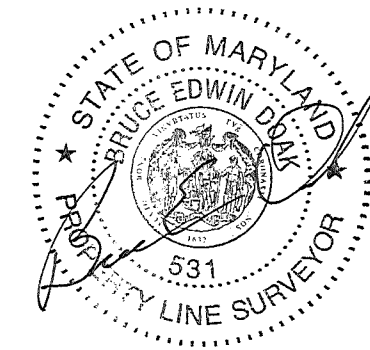
PARTIAL PROPOSED REAR ELEVATION



PARTIAL PROPOSED LEFT SIDE ELEVATION



Vicinity Map - Scale: 1" = 200'



REVISION

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#2431 HARTFELL ROAD

BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 10/25/2023

Scale: 1" = 60'