



KATHERINE A. KLAUSMEIER
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

March 27, 2025

Moshe & Dina Rechthand – Dina.rechthand@gmail.com
3214 Timberfield Lane
Pikesville, MD 21208

RE: Petition for Administrative Variance
Case No. 2024-0280-A
Property: 3214 Timberfield Lane

Dear Mr. and Mrs. Rechthand:

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,

A blue ink signature of Derek J. Baumgardner, consisting of a stylized 'D' and 'B' followed by a horizontal line.

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlw
Enclosure

c: Rick Richardson rick@richardsonengineering.net
Daniel Vanderwalde daniel@generalpropertyllc.com
Jaden Atkins jadenaatkins@gmail.com

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(3214 Timberfield Lane)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Moshe & Dina Rechthand	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0280-A
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by Moshe and Dina Rechthand (“Petitioners”), owners of the property located at 3214 Timberfield Lane, Pikesville, Baltimore County, Maryland (the “Property”). Petitioners request variance relief pursuant to Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.B, from BCZR Sections 205.2, 205.3, 205.4 and 301.1 of the 1959 Zoning Regulations, to permit a proposed dwelling addition with a side and rear setback of 8 ft. and 12 ft., respectively, in lieu of 15 ft., and 40 ft. minimum requirements; to permit a dwelling addition (mudroom) with a side and rear setback of 14 ft. and 22 ft., respectively, in lieu of 15 ft. and 40 ft. minimum requirements; to permit an open projection (screen porch) with a side and rear setback of 10 ft. and 16 ft., respectively, in lieu of 11.25 ft. and 30 ft. minimum requirements; and to permit an open projection (carport) with side, rear and front setback of 10 ft., 15 ft. and 18 ft., respectively, in lieu of 11.25 ft., 30 ft. and 30 ft. minimum requirements.

On or about February 20, 2025, the Administrative Law Judge (“ALJ”) requested this case be set in for a hearing. The hearing was set using the virtual WebEx platform for March 24, 2025.

The Petition was properly advertised and posted. Petitioner, Dina Rechthand, appeared at the hearing and was assisted by Patrick Richardson, Jr., of Richardson Engineering, LLC, who

prepared and sealed the Site Plan. There were no Protestants or interested parties who appeared at the hearing. The file does not contain substantive Zoning Advisory Committee ("ZAC") comments from county agencies.

Findings of Fact

The Property is 17,422 sq. ft. in land area and is zoned DR 2. The Property is improved with a single-family dwelling originally constructed in 1959 and located in a residential subdivision with other similarly sized lots and dwellings. The existing single-family dwelling is of unusual shape and is oriented diagonally on the lot such that its rear and side yards are skewed and not parallel/perpendicular to its lot frontage. Further, the property slopes dramatically in the rear yard to the property boundary to the north of the lot. Petitioner testified and Mr. Richardson proffered that the purpose of the proposed additions and improvements are to provide more functionality to the home and are sited in the only portions of the lot available to work with the existing floor plan and layout of the home.

Conclusions of Law

Pursuant to BCZR § 307.1, "...the [Administrative Law Judge] shall have ...the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare...". A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

I find that the Property is unique due to the orientation of existing improvements to the lot's street frontage and the steep slope at the rear of the property. For these reasons, I find that special circumstances or conditions exist that are peculiar to this property and if variance relief is denied Petitioner will experience a practical difficulty or hardship. I further find that the requested variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare. In sum, the evidence adduced at the hearing satisfies the requirements under BCZR § 307.1 and the factors articulated under *Cromwell v. Ward*, 102 Md. App. 691 (1995).

THEREFORE, IT IS ORDERED, this 27th day of **March, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), Section 1B02.3.B, BCZR (Sections 205.2, 205.3, 205.4 and 301.1 of the 1959 Zoning Regulations) to permit a proposed dwelling addition with a side and rear setback of 8 ft. and 12 ft., respectively, in lieu of 15 ft. and 40 ft. minimum requirements; to permit a dwelling addition (mudroom) with a side and rear setback of 14 ft. and 22 ft., respectively, in lieu of 15 ft. and 40 ft. minimum requirements; to permit an open projection (screen porch) with a side and rear setback of 10 ft. and 16 ft., respectively, in lieu of 11.25 ft. and 30 ft. minimum requirements; and to permit an open projection (carport) with side, rear and front setback of 10 ft., 15 ft. and 18 ft., respectively, in lieu of 11.25 ft., 30 ft. and 30 ft. minimum requirements, be and are 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.

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



DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlm



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 Law of Baltimore County for the property located at:

Address 3214 TIMBERFIELD LA

Currently Zoned DR-2

(Verted R-20, 1959 Zoning Regs.)

Deed Reference 39815/6

10 Digit Tax Account # 0307061700

Owner(s) Printed Name(s) MOSHE RECHTHAND & DINA RECHTHAND

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. X **ADMINISTRATIVE VARIANCE** from section(s)
SEE ATTACHED

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space 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, 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:

MOSHE RECHTHAND / DINA RECHTHAND

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

3214 Timberfield Lane Baltimore MD

Mailing Address City State

21208 / Dina.rechthand@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC, Rick Richardson

Name - Type or Print

Signature

7 Deneison Street Timonium MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net

Zip Code Telephone # Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2024-0080-A

Filing Date 12/30/24

Estimated Posting Date 1/26/25

Reviewer J. KRACH

Closing

2/10/25

Rev 10/12/11

ZONING RELIEF FOR 3214 TIMBERFIELD LANE

Per Section 1B02.3.B, BCZR (Sections 205.2, 205.3, 205.4 & 301.1 of the 1959 Zoning Regulations) to permit a proposed dwelling addition with a side and rear setback of 8 ft. & 12 ft., respectively, in lieu of 15 ft. & 40 ft., respectively, to permit a dwelling addition (mudroom) with a side & rear setback of 14 ft. & 22 ft., respectively, in lieu of 15 ft. & 40 ft., respectively, to permit an open projection (screen porch) with a side and rear setback of 10 ft. & 16 ft., respectively, in lieu of 11.25 ft. and 30 ft., respectively, to permit an open projection (carport) with side, rear and front setback of 10 ft., 15 ft. & 18 ft., respectively, in lieu of 11.25 ft., 30 ft. and 30 ft., respectively. Any other relief as may be required to build the additions and open projections as shown on the accompanying site plan.

2024-0280-A

R. 20 Zone—Residence, One-Family

Section 203—USE REGULATIONS

The following uses only are permitted:

203.1—Uses permitted and as limited in R. 40 Zone.

203.2—Special Exceptions—Same as in R. 40 Zone, Section 200.15, except airports and laboratories which are not permitted (see Sections 270 and 502).

Section 204—HEIGHT REGULATIONS:

Same as R. 40 Zone.

Section 205—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

205.1—Lot Area and Width—Each principal building hereafter erected shall be located on a lot having an area of not less than 20,000 square feet, and a width at the front building line of not less than 100 feet, except that for four or more lots in the same ownership, and in the same tract, a minimum lot area of 15,000 square feet is permitted if an average of all the lot sizes in the same ownership and in the same tract equals 20,000 square feet or more, but not more than thirty per cent of the lots may have an area less than 20,000 square feet (see Section 304).

205.2—Front Yard—For dwellings, the front building line shall be not less than 40 feet from the front lot line and not less than 65 feet from the center line of the street, except as specified in Section 303.1; for other principal buildings—60 feet from the front lot line and not less than 85 feet from the center line of the street, except as in Section 303.1.

205.3—Side Yards—For dwellings, 15 feet wide, except that for a corner lot the building line along the side street shall be not less than 40 feet from the side lot line and not less than 65 feet from the center line of the street; for other principal buildings—30 feet wide, except that for a corner lot the building line along the side street shall be not less than 50 feet from the side lot line and not less than 75 feet from the center line of the street.

205.4—Rear Yard—40 feet deep.

ARTICLE 3—EXCEPTIONS TO HEIGHT AND AREA REQUIREMENTS

Section 300—HEIGHT EXCEPTIONS

300.1—The height limitations of these regulations shall not apply to barns and silos, nor to church spires, belfries, cupolas, domes, radio or television aerials, drive-in theatre screens, observation, transmission or radio towers, or poles, flagstaves, chimneys, parapet walls which extend not more than four feet above the limiting height, bulkheads, water tanks and towers, elevator shafts, penthouses and similar structures provided that any such structures shall not have a horizontal area greater than 25 per cent of the roof area of the building.

300.2—Buildings for religious or educational purposes may be built to a height of 50 feet in any zone in which they are permitted.

Section 301—PROJECTIONS INTO YARDS

301.1—If attached to the main building, a carport or a one-story open porch, with or without a roof, may extend into any required yard not more than 25% of the minimum required depth of a front or rear yard or of the minimum required width of a side yard.

301.2—Projections such as bay windows, chimneys, entrances, vestibules, balconies, eaves and leaders may extend into any required yard not more than 4 feet provided that such projections (excepting eaves) are not over 10 feet in length.

301.3—No side and/or rear yard is required for a business or manufacturing use in that portion of any property located in a B. R., M. R., M. L., or M. H. Zone if such side and/or rear line abuts on a railroad right-of-way or siding, to either of which it uses rail access.

Section 302—HEIGHT AND AREA REQUIREMENTS FOR NEW RESIDENCES IN BUSINESS AND MANUFACTURING ZONES

Residences hereafter erected in business and manufacturing zones shall be governed by all height and area regulations for the predominant residence zone which immediately adjoins, or by R. 6 zone requirements, if no residence zone immediately adjoins.

1959
Zoning
Regulations

CERTIFICATE OF POSTING

2024-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

Rick Richardson

February 10, 2025

Date of Hearing/Closing: _____

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

Attn: Jeff Perlow:

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: _____

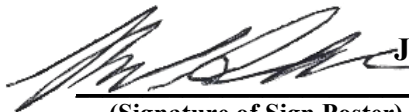
3214 Timberfield Lane *SIGN 1 & 2*

January 26, 2025

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



Sincerely,

 **January 26, 2025**
(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)

CERTIFICATE OF POSTING

2024-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

Moshe & Dina Rechthand

March 24, 2025

Date of Hearing/Closing: _____

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

Attn: Jeff Perlow:

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: _____

3214 Timberfield Lane ***SIGN 1A & 1B***

March 2, 2025

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

Sincerely,

 **March 2, 2025**

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

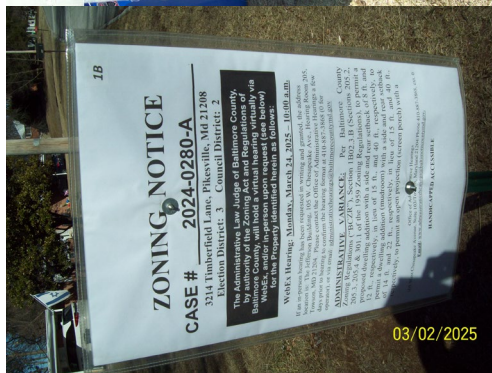
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2024-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

Moshe & Dina Rechthand

March 24, 2025

Date of Hearing/Closing: _____

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

Attn: Jeff Perlow:

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: _____

3214 Timberfield Lane ***SIGN 2A & 2B***

March 2, 2025

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



Sincerely,

 **March 2, 2025**

(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)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: January 31, 2025

SUBJECT: DEPS Comment for Zoning Item # 2024-0280-A
Address: 3214 TIMBERFIELD LANE
Legal Owner: Moshe & Dina Rechthand

Zoning Advisory Committee Meeting of January 31, 2025.

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

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: January 27, 2025

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0280-A

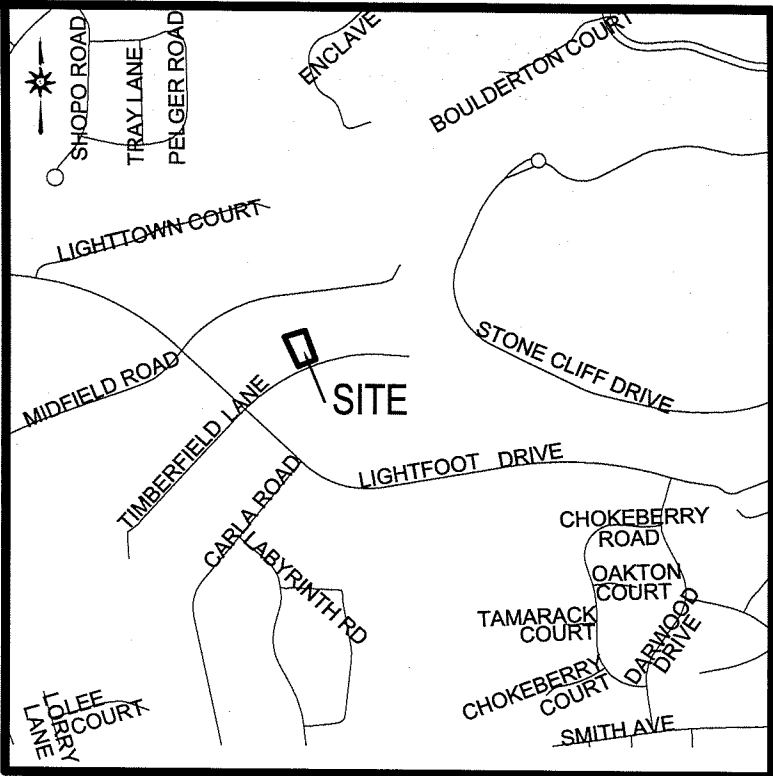
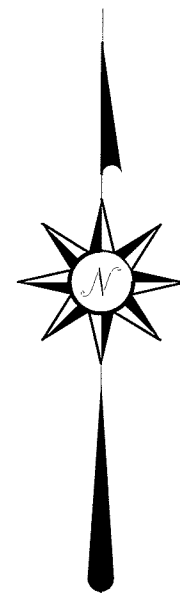
The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No Comment.

DPW-T: No Exception taken.

Landscaping: No comment.

Recreations & Parks: No comment LOS & No Greenways affected.



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: MOSHE RECHTHAND
DINA RECHTHAND
3214 TIMBERFIELD LN
BALTIMORE MD 21208-4422
- SITE AREA:
NET: 17,422 SF OR 0.40 AC.±
GROSS: 19,834 SF OR 0.46 AC.±
- USE:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING
- UTILITIES: PUBLIC WATER AND SEWER
- DEED REF: 37626/107
- TAX ACCOUNT: 0307083700
- ZONING: DR 2 (vested R-20, 1959 Zoning Regulations)
(PER 1"=200' ZONING MAP 078C1)
- TAX MAP: 78
GRID: 5
PARCEL: 341
- PLAT REFERENCE: 26/112 REVISED PLAT OF MIDFIELD
- NO KNOWN FLOODPLAINS EXISTS ON SITE PER FLOOD INSURANCE RATE MAP (FIRM) PANEL 24001C0240F DATED SEPTEMBER 26, 2008.
- PREVIOUS ZONING CASES: NONE ON FILE.
- PREVIOUS PERMITS: B916352 ALTS TO INCLUDE: REMOVE 10'7" LF OF LOAD BEARING I WALL AND REPLACE WITH 2 LEVEL'S AT KITCHEN. ALSO I CREATE 36"x30" WINDOW IN KITCHEN. OK TO WAIVE I PLANS: PH. ISSUED JUNE 5, 2016.
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- SETBACKS FOR DR 2 (PLANNING BOARD APPROVED PLAT 1960)
FRONT REQUIRED 40' PROVIDED 49'±
SIDE 15' PROVIDED 7'±
REAR 40' PROVIDED 56'±

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR
RECHTHAND RESIDENCE

3214 TIMBERFIELD LANE
BALTIMORE COUNTY MARYLAND
3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT

REVISIONS		DRAWN BY:	CHECKED BY:	SCALE:
		LNR	PCR	1" = 20'
DATE:		JOB NO.:	SHEET NO.:	
11-12-24		24194	1 OF 1	