

**IN RE: PETITION FOR ADMIN. VARIANCE**  
North side of Lightfoot Road, 148 feet East  
of Carla Road  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilmanic District  
**(3112 Lightfoot Drive)**

Lawrence and Susan Korman  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2009-0019-A**

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Lawrence and Susan Korman for property located at 3112 Lightfoot Drive. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an addition and carport with a side yard setback of .5 feet in lieu of the required 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to expand the existing kitchen by constructing a one-story kitchen addition and adding a one-story covered carport for one car. The only practical direction is to the side yard since the existing kitchen is bound by a bedroom to the rear and a dining room to the front. The carport will be added on the flat ground directly to the side to provide covered parking near the kitchen. Petitioners provided letters of support from their adjacent neighbors at 3114 Lightfoot Drive and 3110 Lightfoot Drive. The Petitioners' lot is pie shaped and the two adjacent lots are irregular in shape. The carport will be on the footprint of the existing driveway. The property contains 11,447 square feet or 0.26 acres.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated August 8, 2008 which indicates they have no objection to the carport provided the carport remains open.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 31, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 27<sup>th</sup> day of August, 2008 that a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an addition and carport with a side yard setback of .5 feet in lieu of the required 15 feet is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit 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, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The carport shall remain open and shall not be enclosed at any time.

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

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SIGNED  
THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz