

<b>IN RE: PETITION FOR ADMIN. VARIANCE</b>	*	BEFORE THE
S side of Woodvalley Drive, 330 feet W		
of Melody Lane	*	DEPUTY ZONING
3 <sup>rd</sup> Election District		
2 <sup>nd</sup> Councilmanic District	*	COMMISSIONER
<b>(3605 Woodvalley Drive)</b>		
	*	FOR BALTIMORE COUNTY
Michael Aronoff		
<i>Petitioner</i>	*	<b>Case No. 2009-0255-A</b>

\* \* \* \* \*

**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 owner of the subject property, Michael Aronoff for property located at 3605 Woodvalley Drive. The variance request is from Section 1B02.3.B (Section 205.2 1955 Zoning Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage extension) with a front street setback of 35 feet in lieu of the minimum required 40 feet. The subject property and requested relief are more particularly described on Petitioner’s Exhibit No. 1. Petitioner desires to construct an addition measuring 8 feet x 30 feet in size onto the front of the garage. The current garage was converted from a carport which severely limits the types of cars that can be stored in the garage and the amount of indoor storage space. The garage structure was not maintained by the previous owners and has significant wood and termite damage that is in need of repair. There are three outside sheds attached to the garage which are dilapidated due to rain damage and lack of maintenance and are a significant eyesore. The placement of the dwelling and garage are such that the current garage is only 4 feet beyond the 40 foot setback. The garage entry is from the middle of the property with the garage door extending from the house towards the street. The most reasonable and sensible way to expand the garage is towards the street. The nearby properties having similar

configurations appear to be set back farther from the street and any expansion of the garages would not be restricted by the Zoning Regulations. Petitioner plans to remove the three dilapidated sheds and expand the existing garage to provide a reasonable amount of indoor storage. While the new garage will have approximately the same footprint as the current garage and sheds combined, it will extend only approximately 5 feet beyond the 40 foot setback, and only approximately 9 feet from the existing garage towards the street. The proposed new garage will blend with the existing dwelling and have minimal impact on the surrounding properties, and will not extend beyond the existing tree buffer between properties. Petitioner also states that when construction is completed, landscaping will be installed to insure that the garage and the rest of the property is aesthetically pleasing to the neighborhood.

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 April 15, 2009 which indicates they reviewed the request and do not object to the variance provided that the sheds in disrepair that are located in the side yard of the property are removed.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 11, 2009 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 30<sup>th</sup> day of April, 2009 that a variance from Section 1B02.3.B (Section 205.2 1955 Zoning Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage extension) with a front street setback of 35 feet in lieu of the minimum required 40 feet

is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The dilapidated sheds that are located in the side yard of the property shall be removed.

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