

**IN RE: PETITION FOR ADMIN. VARIANCE**

E side of Laurelwood Avenue, 108 feet N  
of the c/l of Timberline Road  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilmanic District  
**(6707 Laurelwood Avenue)**

Seth A. and Mirra B. Siegel  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2009-0278-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, Seth A. and Mirra B. Siegel for property located at 6707 Laurelwood Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front addition with a setback of 21 feet in lieu of the required 25 feet, and to permit an existing rear setback of 19 feet with open deck projection setback of 11 feet in lieu of the required 30 feet and 22.5 feet respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct the addition onto the front of their home to expand the size of the master bedroom and add a room to be used as an office in the basement. The front of the dwelling is actually the side of the house when viewed from the street. The side of the house facing Laurelwood Avenue does not have a door or access to the interior.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 3, 2009 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 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 Petitioners. The unique configuration of the dwelling and placement on the lot proposes a difficulty for the Petitioners in constructing the necessary addition. Other neighborhood dwellings are situated on property such that their front doors face the street. The Petitioners' home is situated 'sideways' on their property.

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 20<sup>th</sup> day of May, 2009 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front addition with a setback of 21 feet in lieu of the required 25 feet, and to permit an existing rear setback of 19 feet with open deck projection setback of 11 feet in lieu of the required 30 feet and 22.5 feet respectively 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.

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