

**IN RE: PETITION FOR ADMIN. VARIANCE**  
NW corner of Hollow Road and  
Westchester Road  
1<sup>st</sup> Election District  
1<sup>st</sup> Councilmanic District  
**(601 Hollow Road)**

Robert L. and Mary Beth Beasley  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2011-0031-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, Robert L. and Mary Beth Beasley for property located at 601 Hollow Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit an existing dwelling with a proposed addition (sunroom) that would create a side setback of 3 feet and a sum of setbacks of 23 feet in lieu of the required 15 feet and sum of 40 feet; and to permit a rear setback as close as 6 feet in lieu of the required 40 feet. The subject property and requested relief are more particularly described on Petitioners’ Exhibit No. 1. Petitioners desire to construct a sunroom measuring 12 feet 10 inches x 10 feet 6 inches which will attach to the opposite side of the kitchen and provide adequate space for an eating area. The farthest corner of the sunroom will be 20 feet and 15 feet from the side property lines. Currently, there is a concrete patio with a metal frame gazebo located at the rear of the dwelling, and the gazebo will be removed for the sunroom. The dwelling was constructed in 1850 and contains 1,048 square feet of living space. Petitioners’ property is irregular in shape with the home constructed at the front portion of the property. In fact, it appears from the site plan that the subject dwelling is only 3 feet from the front setback. This is a neighborhood of attractive, well maintained old homes all of which were

constructed extremely close to Hollow Road and Westchester Road. Petitioners submitted letters of support from all their adjacent neighbors.

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 July 30, 2010 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.

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 18<sup>th</sup> day of August, 2010 that an Administrative Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit an existing dwelling with a proposed addition (sunroom) that would create a side setback of 3 feet and a sum of setbacks of 23 feet in lieu of the required 15 feet and sum of 40 feet; and to permit a rear setback as close as 6 feet in lieu of the required 40 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.

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

\_\_\_SIGNED\_\_\_  
THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz