

**IN RE: PETITION FOR ADMIN. VARIANCE**  
W side of Thompson Avenue; 440 feet N of  
Deer Park Road  
4<sup>th</sup> Election District  
4<sup>th</sup> Councilmanic District  
**(11106 Thompson Avenue)**

Jerry L. and Jeanne M. Houck  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2011-0053-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, Jerry L. and Jeanne M. Houck for property located at 11106 Thompson Avenue. The variance request is from Sections 1A03.4.B.2.a, 1A03.4.B.3 and 301.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a proposed dwelling addition (garage) and open projection (front porch) with side yard setbacks of 10 feet and 15 feet in lieu of the minimum 25 feet (for garage), side yard setback of 15 feet in lieu of the minimum required 18¾ feet (for front porch), and permeable surface coverage of 11.6% in lieu of the maximum allowed 10%. The subject property and requested relief are more particularly described on Petitioners’ Exhibit No. 1. Petitioners desire to construct a front porch addition measuring 8 feet x 50 feet and a garage addition measuring 25 feet x 26 feet. This garage will provide shelter from inclement weather and provide much needed storage space for vehicles and other belongings. The proposed porch will protect the Petitioners from the elements when entering and exiting the dwelling. The proposed attached garage will utilize the existing driveway. Petitioners’ property is served by a private well located in the front yard and a private septic system which is located in the rear yard.

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 August 15, 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 7<sup>th</sup> day of September, 2010 that an Administrative Variance from Sections 1A03.4.B.2.a, 1A03.4.B.3 and 301.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a proposed dwelling addition (garage) and open projection (front porch) with side yard setbacks of 10 feet and 15 feet in lieu of the minimum 25 feet (for garage), side yard setback of 15 feet in lieu of the minimum required 18¾ feet (for front porch), and permeable surface coverage of 11.6% in lieu of the maximum allowed 10% 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