

**IN RE: PETITION FOR ADMIN. VARIANCE**  
NW side of Bridgewood Drive; 50 feet SW  
of the c/l of Westham Way  
12<sup>th</sup> Election District  
7<sup>th</sup> Councilmanic District  
**(7208 Bridgewood Drive)**

Nickolaos Diakantonis  
*Petitioner*

\* BEFORE THE  
\* OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2012-0309-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owner of the subject property, Nickolaos Diakantonis.

The variance request is as follows:

- From Section 400.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a proposed detached garage in the rear yard with a 1 foot side setback on both sides in lieu of the required 2.5 feet, and to occupy 54% in lieu of the maximum allowed 40% of rear yard area;
- From Section 400.2 of the B.C.Z.R. to permit the proposed garage 14 feet to the centerline of an alley-way in lieu of the required 15 feet.

The subject property and requested relief are more particularly described on Petitioner’s Exhibit No. 1. Petitioner desires to construct a garage measuring 16 feet x 20 feet. The photographs and site plan submitted with the Petition demonstrate that neighbors in the immediate area have garages similar to that of the proposed garage.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 17, 2012, 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 Administrative Law Judge, 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 Administrative Law Judge for Baltimore County, this 11 day of July, 2012 that a Variance as follows:

- From Section 400.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a proposed detached garage in the rear yard with a 1 foot side setback on both sides in lieu of the required 2.5 feet, and to occupy 54% in lieu of the maximum allowed 40% of rear yard area;
- From Section 400.2 of the B.C.Z.R. to permit the proposed garage 14 feet to the centerline of an alley-way in lieu of the required 15 feet,

be and are 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 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 Petitioner 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 \_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB/pz