

<b>IN RE: PETITION FOR ADMIN. VARIANCE</b>	*	BEFORE THE
SE of Ingleside Avenue; 320 feet NE		
of the c/l of Harwall Road	*	OFFICE OF
1 <sup>st</sup> Election District		
1 <sup>st</sup> Council District	*	ADMINISTRATIVE HEARINGS
<b>(1513 Ingleside Avenue)</b>		
	*	FOR BALTIMORE COUNTY
William H. Peoples IV		
<i>Petitioner</i>	*	<b>CASE NO. 2012-0158A</b>

\* \* \* \* \*

**ORDER AND OPINION**

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owner of the property, William H. Peoples IV. The Petitioner is requesting Variance relief as follows:

- From Section 400.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a proposed accessory building in the rear yard with a 2 foot side setback in lieu of the required 2.5 feet; and
- From Section 400.2 of the B.C.Z.R. to permit a proposed accessory building in the rear yard to be located 11.5 feet from the centerline of the alley in lieu of the required 15 feet.

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

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 January 15, 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 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, this   6   day of February, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief as follows:

- From Section 400.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a proposed accessory building in the rear yard with a 2 foot side setback in lieu of the required 2.5 feet; and
- From Section 400.2 of the B.C.Z.R. to permit a proposed accessory building in the rear yard to be located 11.5 feet from the centerline of the alley in lieu of the required 15 feet,

be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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Signed \_\_\_\_\_  
TIMOTHY M. KOTROCO  
Administrative Law Judge for  
Baltimore County

TMK:pz