

IN RE: PETITION FOR VARIANCE

S side of Silver Knoll Drive 170 feet W
of Hilltop Acres Road
11th Election District
5th Councilmanic District
(8794 Silver Knoll Drive)

Raymond and Madonna Holmes
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-232-A

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Raymond and Madonna Holmes. The Petitioners are requesting variance relief for property located at 8704 Silver Knoll Drive. The variance request is from Section 415A.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational boat and trailer in the front yard in lieu of the required side or rear yard.

The property was posted with Notice of Hearing on January 16, 2007 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 17, 2007 to notify any interested persons of the scheduled hearing date and relief requested.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such

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8704 Silver Knoll Drive

The difficulty and hardship that we encounter is the impossibility of moving our boat to the back yard or the side of our property. It is not feasible to move to the rear of our house, there is not enough room to maneuver it without damaging our neighbors property. There is no other access to the back yard except between the two houses. Also there are power lines on that side which makes it impossible to add any kind of cemented pad or any thing else to store the boat. There is a drainage and utility easement on the other side which leaves us no room to move the boat on either side.

Leaving the boat in our driveway or parking it on the street should be sufficient. In the driveway it is not in anyone's way except for ours. We have asked our neighbors and they do not have an issue with the boat. The person who made the complaint does not even live in our neighborhood.

