



Howard County Maryland
Department of Planning and Zoning
3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350
www.howardcountymd.gov

DPZ Office Use only:
Case No. BA-25-009V
Date Filed 4/25/2025

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JUN 23 2025

BY: *Mia Saver*

Residential District Variance Petition

OFFICIAL FILE COPY

Variance Request

Type of Variance(s): Requesting 30 foot building restriction line (BRL) be relaxed to 20 foot, along an approximately 20 foot stretch, to allow for the construction of a pavilion/carport. Also requesting that relaxation of BRL granted applicant on June 25, 2013 (AA Case No. 13-05) be extended along an approximately 20 foot stretch to accommodate proposed pavilion/carport.

Zoning Regulation Section Number(s): 104.E.4.a.(3)(b)

Amount of variance(s) requested: Requesting a 10-foot reduction in the 30 foot setback to the side of the proposed pavilion/carport and a 6-foot reduction in the 30 foot setback to the rear of the proposed pavilion/carport (previously granted by AA case no. 13-05).

Reason for the request:

Applicant is proposing to build a pavilion/carport over an existing gravel parking pad approximately 18' x 22' in size. This parking pad encroaches on the building restriction lines (BRLs) so in order to build the proposed pavilion/carport a reduction in the BRL setback is required.

Petitioner Information

Name: David Layer

Trading As:

Address: 16125 Patapsco Overlook Court, Mount Airy, MD, 21771

Phone: 2406723756

Email: dhlayer@gmail.com

Petitioner's Interest in the Property: Joint Owner

Representative Information

Name: David Layer

Address: 16125 Patapsco Overlook Court, Mount Airy, MD, 21771

Phone: 2406723756

Email: dhlayer@gmail.com

Profession: Electrical Engineer

Property Information

Property Address: 16125 Patapsco Overlook Court, Mount Airy, MD, 21771

Total Site Area: 3.09 acres Use Area (if different): Tax Map: 2 Grid: 24 Parcel: 227

County Council District: ⁵4 Zoning District: ~~R~~ AC-DEO
Subdivision Name: SDP #:

Please provide a response to the following criteria:

That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these Regulations.

As shown in the attachments to this petition, due to the original siting of the existing house in the extreme southwestern corner of the lot, in close proximity to the westernmost and southernmost building restriction lines (BRLs), the pavilion/carport addition cannot be optimally sited above the existing gravel parking pad without a ten (10) foot reduction of the BRL setback nearest to the driveway, along an approximately twenty (20) foot length of the BRL.

Petitioner notes that an earlier administrative adjustment was granted by Howard County on June 25, 2013 (AA Case No. 13-05) to allow for construction of the (now) existing 2-car garage w/storage loft shown in the attachments. Ever since that garage was constructed, an 18 foot by 22 foot gravel parking pad has existed on the side of the garage (shown in photos in the attachments). The proposed pavilion/carport will cover this existing parking pad. Petitioner requests that the 6 foot BRL relief granted for construction of the garage be extended to include the proposed pavilion/carport.

That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

The administrative adjustment, if granted, will result in the pavilion/carport addition crossing the BRL by only approximately one hundred (100) sq. ft. as shown in the attachments to this petition. This is a de minimus intrusion into this property's restricted area which is over fifty thousand (50,000) sq. ft. in size; the requested adjustment occupies less than 0.2% of the total restricted area, and will thus not substantially impair the appropriate use or development of adjacent property, and will thus not be detrimental to the public welfare.

Further, the drone photographs submitted with this petition illustrate the degree to which the areas immediately surrounding the proposed pavilion/carport are currently used for parking vehicles, by both the petitioner and the owner of the adjacent property (16119 Patapsco Overlook Court). Consequently, construction of the pavilion/carport will not alter any essential character or impair the appropriate use of the adjacent property, and in fact is entirely consistent with current usage.

That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

This adjustment is a consequence of the original siting of the existing house.

That within the intent and purpose of these Regulations, the variance, if granted, is the minimum variance necessary to afford relief.

A ten (10) foot reduction in the side setback, as shown in the drawings submitted with this petition, is the minimum necessary relief to allow for optimal siting of the pavilion/carport addition above the existing gravel parking pad which has been in use for approximately 12 years. This relief is only required along an approximately twenty (20) foot length of the BRL nearest to the driveway. Petitioner requests that the 6 foot BRL relief granted for construction of the garage on June 25, 2013 (AA Case No. 13-05) be extended to include the proposed pavilion/carport.

That no variance be granted to the minimum criteria established in Section 131.0 for Conditional Uses except where specifically provided therein or in an historic district. Nothing herein shall be construed to prevent the granting of variances in any zoning district other than to the minimum criteria established in Section 131.0.

No Conditional Uses are being proposed.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct.

Petitioner's Signature *David H. Layman* Date 5/1/2025

Property Owner's Signature *David H. Layman* Date 5/1/2025

Process information and submittal requirements can be found on the [ProjectDox website](#)

Residential Variance application update
June 21, 2025

David H. Layer
16125 Patapsco Overlook Court
Mount Airy, MD 21771
tel 240-672-3756 email dhlayer@gmail.com

This document and the 2 attachments (listed in Table 1) are being submitted to address the items called out in the June 5, 2025 letter from Hannah G. Weber, Planning Specialist II, Division of Public Service and Zoning Administration, Department of Planning and Zoning, to myself regarding Board of Appeals case no. BA-25-009V.

Table 1. List of attachments to Administrative Adjustment application supplement

Attachment No.	Description	No. of pages
1	Confirmation receipt for application request – amendments to hearing examiner petition application	1
2	Updated set of drawings describing property, proposed garage addition and requested Residential Variance, now all drawn to the requested standard engineering scales and with additional information	7

Regarding items flagged under “Residential Variance Petition,” I used the “Update Hearing Examiner Petition Application” selection found on the ProjectDox service screen and:

- Amended the County Council district to 5
- Amended the Zoning district to RC-DEO

A confirmation receipt for this application request is included here as Attachment no. 1.

Regarding items flagged under “Residential Variance Plan,” here is my response to each item:

- I am re-submitting my drawings (included here as Attachment no. 2) now all drawn to a standard engineering scale.
- All detached accessory structures are now delineated in the revised drawings, in particular see drawings 2, 3, and 4 (of 7).
- A list of the lot coverage in square feet of all existing and proposed accessory structures is provided in Table 2.

Table 2. Lot coverage in square feet of existing and proposed accessory structures

No.	Accessory structure	Lot coverage in square feet
1	(Existing) 2-car garage	624
2	(Existing) Garden shed	240
3	(Proposed) Pavilion/carport	396
TOTAL		1,260

- The length in feet of the breezeway connecting the rear porch to the existing two-car garage is described in drawing 6 of 7 in the revised drawing set. Shown in this drawing are two lengths as the breezeway is at an angle with respect to the house and the garage: the straight-line distance between the house (rear porch) and garage which is approximately 11 foot 9 inches, and the length measured along the axis of the breezeway which is approximately 13 foot 6 inches. Note that no matter how it's measured, the length of the breezeway does not exceed 15 feet, and also that the cumulative lot coverage of our detached accessory structures is 1,260 square feet, well within the 2,200 square foot limit mentioned in the June 5 letter.
- All existing well and septic components are delineated on drawings 2, 3, and 4 (of 7) in the revised drawing set (Attachment 2).

(attachments)

(ATTACHMENT NO. 1)

[Home](#) [Profile](#) [Services](#)

[David Layer](#) | [Logout](#)

Application Request Confirmation

June 21, 2025

Thank You!

Applicant:	David Layer
Signature Date:	6/21/2025 12:16:00 PM
Request Number:	HEP-2024
Request Name:	David Layer

Print

Residential Variance agency comment response
June 21, 2025

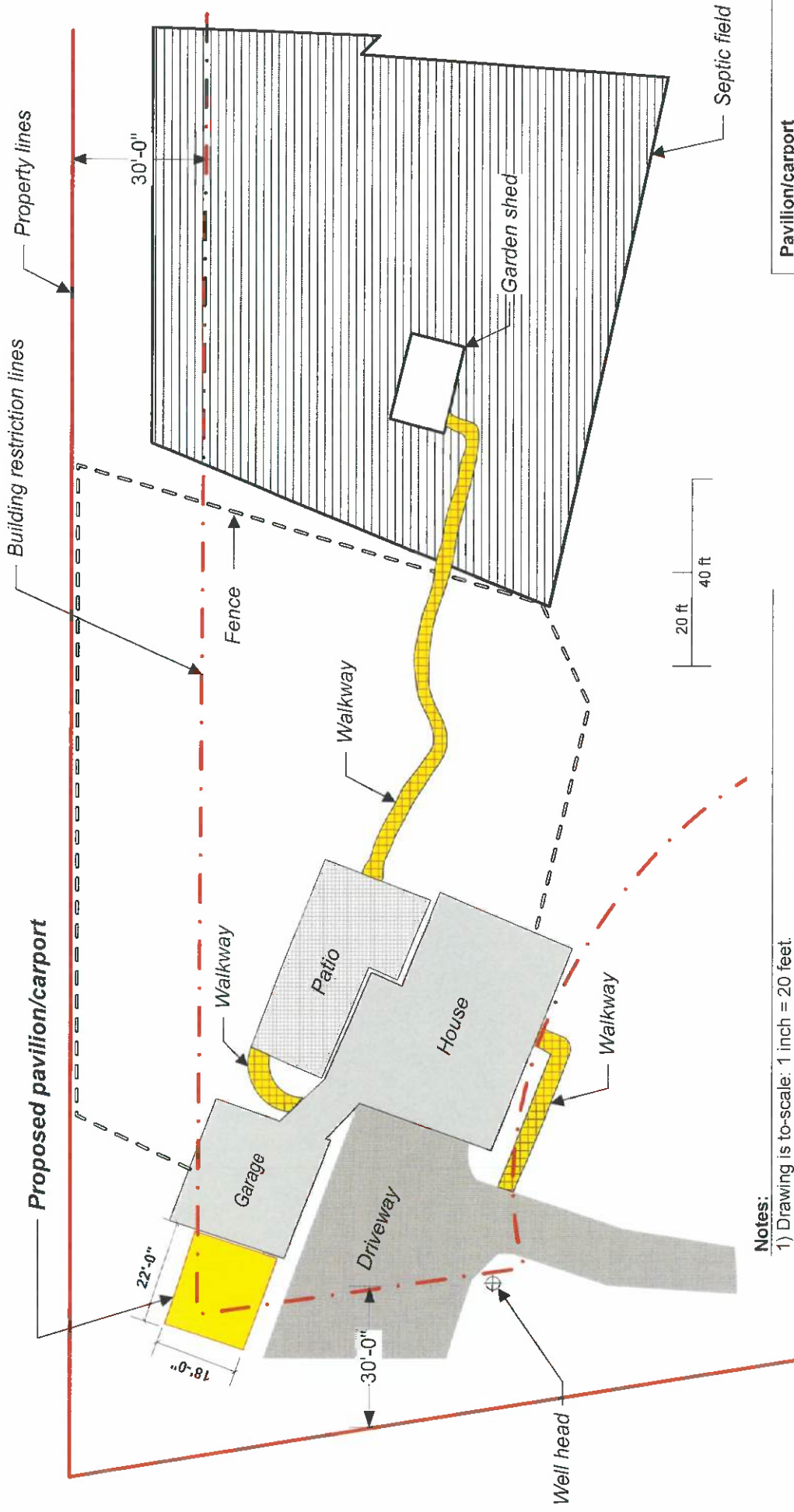
David H. Layer
16125 Patapsco Overlook Court
Mount Airy, MD 21771
tel 240-672-3756 email dhlayer@gmail.com

Mr. Zack Silvast raised some issues regarding my proposed pavilion/carport (file no. BA-25-009V) in a comment form dated May 1, 2025. I would like to offer some additional information in response:

- A request was made for a better scaled plot plan which shows all existing well and septic components. The attached drawings clearly indicate the relationship between the proposed pavilion/carport, the well head, and the septic field. Note that while not indicated on the drawings, the well head is higher in elevation than is the proposed pavilion/carport. As can be seen in these drawings, the well head is approximately 50 feet from the nearest corner of the proposed pavilion/carport, while the septic field is approximately 150 feet from the nearest side of the proposed pavilion/carport.
- Please note that the driveway is *not* being extended as part of the plan proposal, nor is the gravel parking pad over which the proposed pavilion/carport is to be constructed. This parking pad/driveway arrangement was established 12 years ago when the garage was constructed. No changes are contemplated as part of this project.
- Note also under the current arrangement there is a protective fence between the well head and the driveway as shown in the photo below. This fence functions similar to a "protective bollard" making installation of any additional bollards unnecessary.



(attachment)



Notes:

- 1) Drawing is to-scale: 1 inch = 20 feet.
- 2) Property and building restriction lines from Howard County land records - Section 1, Plat No. 6717, Lot 5, Election District 4, Tax Map 2, part of parcel no. 32.
- 3) Walkways are constructed of paver blocks set in sand.
- 4) Fence is combination picket/split rail.
- 5) Well head is approximately 50 feet from nearest corner of proposed pavilion/carport.
- 6) Septic field is approximately 150 feet from nearest side of proposed pavilion/carport.

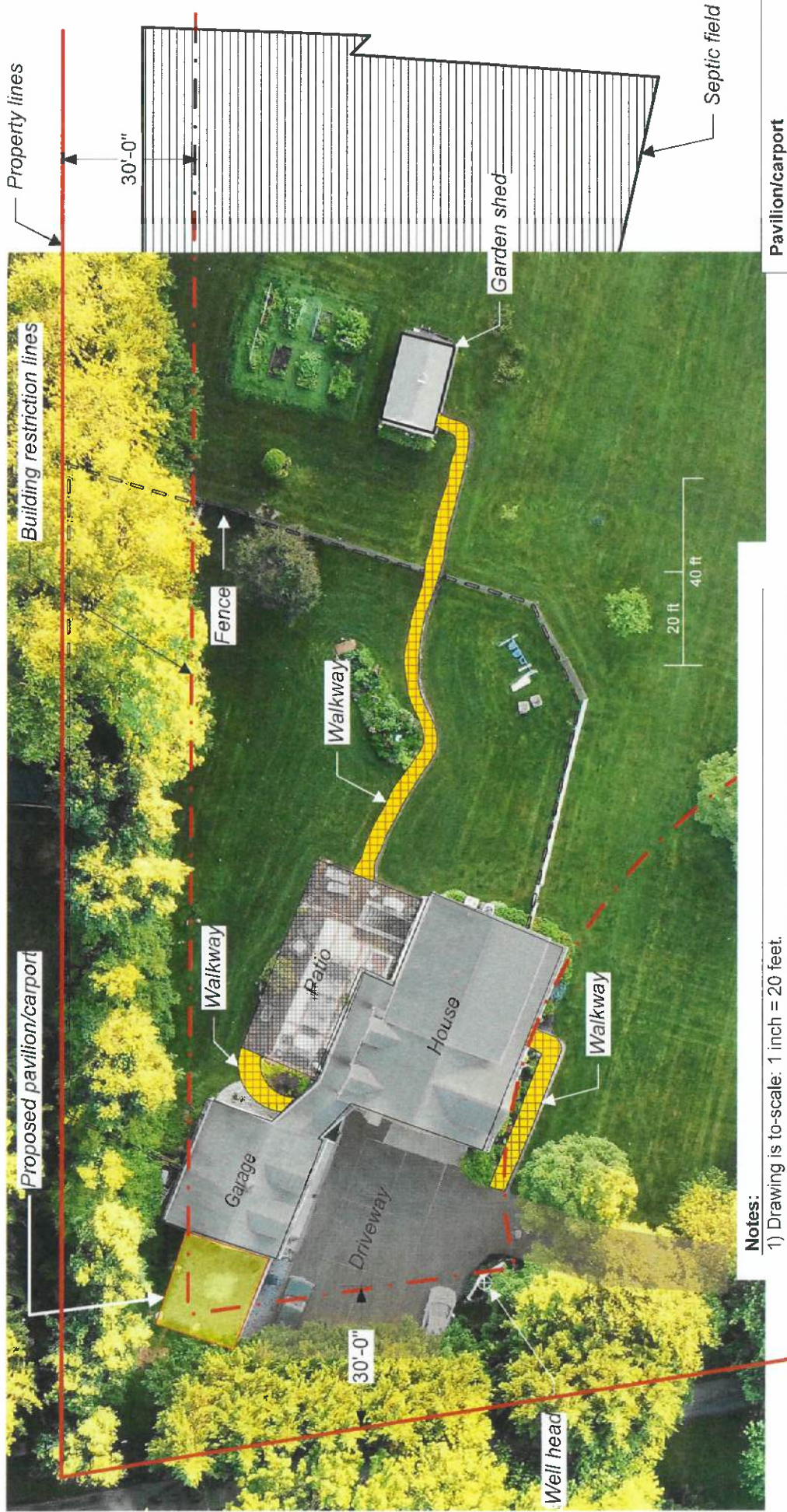
Pavilion/carport

Nora & David Layer
16125 Patapsco Overlook Court
Mount Airy, MD 21771

tel 240-672-3756
email dhlayers@gmail.com

Scale: 1 inch = 20 feet

Page 3 of 7 Drawn 6/21/25



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- 6) Septic field is approximately 150 feet from nearest side of proposed pavilion/carport.

Pavilion/carport

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