



Subject: Levgenii Khomiak – 4776 Attenborough Way
Board of Appeals Case No. BA-25-021V

To: Howard County Hearing Examiner

From: Julia Sauer, Division Chief
Division of Public Service
and Zoning Administration



Date: October 23, 2025

This is a petition for a residential variance from Sections 108.0.D.4.c.(1).(c).(i) of the Howard County Zoning Regulations for construction of a deck within the rear setback. The R-20 zoning regulations require a 30-foot rear setback from the property line. Section 128.0.A.1.e allows decks and porches to encroach 10 feet into the rear setback, effectively reducing the 30-foot rear setback to 20 feet for a deck. The Petitioner is requesting a variance to encroach into the required 20-foot front setback by 6 feet for a rear deck. The subject property is identified as Tax Map 31, Parcel 24, Lot 8 and addressed as 4776 Attenborough Way, Ellicott City. The 0.295-acre property is zoned R-20 (Residential: Single), and is in the Hampton Hills subdivision (Plat No. 25875). Adjoining properties to the front and side property lines are zoned R-20 and adjoining properties to the rear are zoned R-ED (Residential: Environmental Development). Adjoining properties are developed with single family detached dwellings and to the rear is dedicated open space of the neighboring subdivision.

Please note the area in which the deck is proposing to encroach is a private drainage and utility easement, owned by the HOA. The applicant has provided documentation for the HOA's approval.

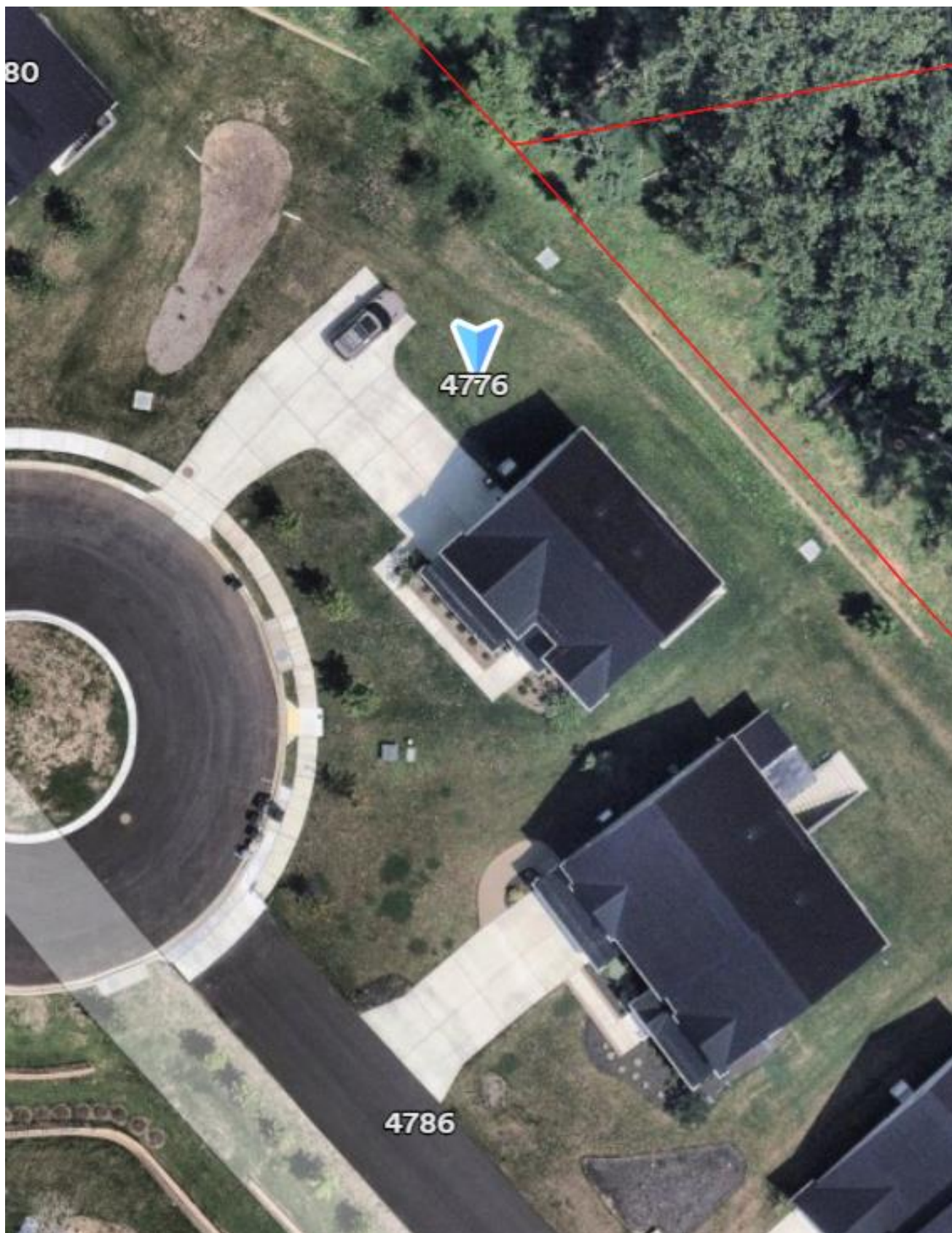
Responses from the following agencies are attached:

1. Division of Land Development
2. Development Engineering Division
3. Resource Conservation Division
4. Department of Recreation & Parks
5. Department of Inspections, Licenses and Permits
6. Bureau of Environmental Health
7. Department of Fire and Rescue Services

Attachments

cc: Petitioner

4776 Attenborough Way





HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
 3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
 Lynda D. Eisenberg, AICP, Director FAX 410-313-3467

Agency Comment Form

Variance

Date: August 27, 2025
 Use: Residential
 Zoning: R-20
 File No.: BA-25-021V
 Petitioner: Levgenii Khomiak
 Property Address: 4776 Attenborough Way, Ellicott City
 Map No: 31
 Parcel: 24

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x		x		x

Comments Due: September 10, 2025

COMMENTS: The Division of Land Development has reviewed the above referenced Variance Petition for the proposed 6-foot rear setback encroachment for a deck construction at 4776 Attenborough Way, Ellicott City, MD. The proposed deck will encroach a total of 16 feet into the rear setback, however decks are permitted to encroach 10 feet into the rear or side setback in accordance with the Zoning Code. The additional 6-foot rear setback encroachment is minor in nature and has the potential to comply with all technical requirements in the Subdivision and Land Development Regulations. Please note that there is a private drainage and utility easement at the rear of the property, and it is advised that permission be acquired for any construction within the easement from the easement owner.

Signed by:

Jason Lanker

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SIGNATURE

DS

[Signature]



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Comments Due: September 10, 2025

COMMENTS: The Development Engineering Division takes NO EXCEPTION to the request for a reduction to the 30' setback for main structures to 14' for an enclosed 16' x 36' deck in an R-20 Zoning District based on the justification presented in the application.

Jim Witmer
SIGNATURE



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Comments Due: September 10, 2025

COMMENTS: The Resource Conservation Division (RCD) has no comments.

Eric Buschman 8/27/25
SIGNATURE



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COMMENTS: DRP takes no exception to the requested Variance to reduce the building setback from 30' to 14' for the purpose of building the proposed 16' wide deck.

Jason L. Thompson, PLA
SIGNATURE



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Comments Due: September 10, 2025

COMMENTS: DILP- No Comments

James Hobson
SIGNATURE



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410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

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Comments Due: September 10, 2025

COMMENTS: Health has no comments for this variance request.

Zack Silvest

SIGNATURE



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Comments Due: September 10, 2025

COMMENTS: The Department of Fire and Rescue Services has no comment on, nor objection to, this request.

Robert Ferguson
Battalion Chief
Office of the Fire Marshal