CARROLL COUNTY GOVERNMENT
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Acting Zoning Administrator
Gayle Fritz

Official Decision
Case ZA-1013
Permit – 06-1347
Acting Zoning Administrator
Carroll County, Maryland

APPLICANT: Michael S. Watkins

REQUEST: A variance from the required minimum front yard setback from 40 feet to 11 feet for the construction of a detached garage

LOCATION: 1095 Plumtree Run Dr.
Westminster, Md. 21157

MAP/BLOCK/PARCEL: 46/23/1514

APPLICABLE REGULATIONS: Code of Public Local Laws and Ordinances, Chapters 223-66 and 181

HEARING HELD: June 7, 2006

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing, the variance is granted with condition.

Facts, which support the request for relief from the strict terms of the Ordinance, in this case, a reduction of the minimum required front setback of 40 feet to 11 feet for the construction of a detached garage are as follows:

This house is built on a lot that slopes steeply. On this lot there is a minimum building line of 60 feet recorded on the subdivision plat. 60 feet exceeds the minimum front yard required pursuant to Chapter 223-66 of the Code of Public Local Laws and Ordinances of Carroll County. In 1993 a variance from 60 feet to 40 feet was granted for the residence due to the topography of the lot. The proposed location of the garage is reasonable in that it is a level site and is at the end of the existing driveway. To locate it on the other side of the house would result in practical difficulty for the applicant due to the extreme slope of the property.

Mr. James Brine, 1099 Plumtree Run Dr., attended the hearing and voiced his concern that the proposed garage would be too close to his back yard. If the minimum building line for lot 25 had been recorded on the property line that runs parallel to Plumtree Run Dr. and the garage was located behind the house it could be built as close as 5 feet to the rear and side property line without a variance. The line of mature trees along the property line between lots 25 and 24 provides a thick screening between the two lots.

This variance is approved with the condition that the proper written approval is obtained from the Planning Department to cross the recorded minimum building line. A building permit for the garage will not be approved until this condition has been met.

This approval is valid for one year from the date of a Zoning Certificate.

Note:

An appeal of a Decision made pursuant to Chapter 223-181.2 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Chapter 223-182 and 223-188 of the Code of Public Local Laws and Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-181 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

June 20, 2006
Date

Gayle Fritz
Acting Zoning Administrator