CARROLL COUNTY GOVERNMENT
225 N. Center Street
Westminster, Maryland 21157
410-386-2980
Toll-free 1-888-302-8978
Fax 410-386-2451
TT 410-848-3017

Office of
Zoning Administration

Official Decision
Case ZA-1049
Permit – 07-0177
Zoning Manager
Carroll County, Maryland

APPLICANT:	Carl and Deborah Owings
REQUEST:	A variance from the required side yard setback of 600 feet to 523 feet on the left side and 300 feet on the right side for an ice cream manufacturing/sales facility
LOCATION:	201 South Springdale Rd. New Windsor, Md. 21776
MAP/BLOCK/PARCEL:	44/10/113
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-71A(11), 223-16 and 223-181
HEARING HELD:	March 7, 2007

FINDINGS AND CONCLUSIONS

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

Facts, which support the request for relief from the strict terms of the Ordinance, in this case, a reduction of the minimum required side setback of 600 feet to 523 feet on the left side and 300 feet on the right side for an ice cream manufacturing/sales facility are as follows:

The ice cream manufacturing and sales facility was approved in Board of Zoning Appeals Case 5252. The applicants discovered it would be difficult to locate the building within the required setbacks. Even though this is a large parcel of land it has a rolling topography. There is a swale running through the middle with a wooded area. The property is also flanked on both sides by lots that are less than 3 acres. To meet the 6oo foot setbacks from the lots that are less than 3 acres the building would have to be toward the back of the property putting it in the swale and the wooded area.

No neighbors were present at the hearing opposing the Applicant's request; therefore, the granting of this variance should have no adverse effect on any adjoining property owners.

This approval is valid for one year from the date of this decision.

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.

3-14-07
Date

Gayle Fritz
Zoning Manager