CARROLL COUNTY GOVERNMENT
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Office of
Zoning Administration

Official Decision
Case ZA-1094
Zoning Manager
Carroll County, Maryland

APPLICANT: Walter Calahan

REQUEST: A variance from the required minimum side yard setback of 50 feet to 12.5 feet for a shed

LOCATION: 2856 Salem Bottom Rd.
Westminster, Md. 21157

MAP/BLOCK/PARCEL: 57/16/303

APPLICABLE REGULATIONS: Code of Public Local Laws and Ordinances, Chapters 223-37 and 223-181

HEARING HELD: March 5, 2008

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 variance from the required minimum side yard setback of 50 feet to 12.5 feet for a shed are as follows:

The applicant erected a storage shed and after the fact finds that there is a recorded minimum building line of 50 feet on the property line where the shed is located. It is unclear why a minimum building line would be recorded on this line since it is not road frontage. §223-178B of the Code of Public Local Laws and Ordinances states "Accessory buildings must be separated from the principal building by at least 6 feet, and they must adhere to minimum front and side yard requirements **unless they are located totally in the rear yard, in which case the side and rear setbacks shall be a minimum of 5 feet**". This shed is located in the rear yard and if not for this recorded minimum building line it would meet the required minimum setback. This property also drops off very steeply in the back yard which severely limits the placement of the shed.

No neighbors were present at the hearing opposing the variance; 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.

March 7, 2009
Date

Gayle Fritz
Gayle Fritz
Zoning Manager