CARROLL COUNTY GOVERNMENT
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Office of
Zoning Administration

Official Decision
Case ZA-1127
Zoning Administrator
Carroll County, Maryland

APPLICANT: John and Caroline Rosewag

REQUEST: A variance from the required minimum side yard setback of 20 feet to 10 feet for a detached garage

LOCATION: 3751 Nicholson Rd.
Westminster, Md.

MAP/BLOCK/PARCEL: 63/9/201

APPLICABLE REGULATIONS: Code of Public Local Laws and Ordinances, Chapters 223-75 and 223-181

HEARING HELD: May 6, 2009

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 20 feet to 10 feet for a detached garage are as follows:

According to the Maryland Department of Assessments and Taxation this house was built around 1966 and the lot is 1.389 acres. The property was zoned Agricultural at the time the house was built and so the Agricultural setbacks were applied to this building even though the property is now within the Conservation zoning district. There is a creek behind the house that runs the entire length of the property making it extremely difficult to put a garage behind the house. According to Mr. Rosewag there are springs on the right side of the property in front of the stream that were dug up and filled in with rock. Because of this the building cannot be moved further inside the property line in order to meet the setback of 20 feet.

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.

May 8, 2009
Date

Gayle Fritz
Gayle Fritz
Zoning Administrator