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

Jay Vought
Zoning Administrator
Office of Zoning Administration

Official Decision
Case ZA-1195
Zoning Administration
Carroll County, Maryland

APPLICANT:	Ida L. Gorsuch
REQUEST:	Reduction of side yard setback from 100 feet to 56 feet for a storage barn
LOCATION:	5249 Carroll Warehime Road
MAP/BLOCK/PARCEL:	7/24/184
APPLICABLE REGULATIONS:	Chapter 223-37 and 223-181
HEARING HELD:`	May 5, 2010

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 of a side yard setback of 100 feet to 56 feet for a storage barn are as follows:

The applicants originally applied for a permit to replace the existing barn in the same location and the same size. After the permit was applied for, the applicant decided to move the barn to a location on the property that was not as steep as the hill the existing barn sat on. When the applicant moved the barn to its present location, they were told that they would have to apply for a variance to the side yard setback for an Ag type building. When they applied for a variance, the Zoning Administrator visited the site, and noticed that the barn was sitting in a septic reserve area and could not be approved in that location. The applicant then took the steps to have a new septic reserve field approved by the Carroll County Health Department.

During this process, the applicant also removed from the permit the housing of animals, and made the permit for a pole barn for storage. At the hearing, the neighbor expressed their opinion and presented information on how the proposed pole barn might affect the wetlands on their property. After listening to the neighbors testimony, I found that the barn in its location would have no more effect on the wetlands, then if the barn was located elsewhere on the property. However, the approval of the variance from the side yard setback from 100 feet to 56 feet is based on the fact that the proposed use of the building is for a pole barn for storage, and **NOT** for the keeping of any farm type animals. It is also noted that the pole barn for storage is not approved for living quarters or for commercial use.

Neighbors were present at the hearing opposing the variance; however, 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.

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 11 2010
Date

Jay C Voight
Jay Voight
Zoning Administrator