Jay C. Voight, Zoning Administrator

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Office of Zoning Administration

Department of
Land Use, Planning, & Development
Carroll County Government
225 North Center Street
Westminster, Maryland 21157

Official Decision
Case ZA-1327
Zoning Administration
Carroll County, Maryland

APPLICANT: Jeffrey K. Rivers

REQUEST: Reduction of a side yard setback from 12' to 6' for a garage.

LOCATION: 1218 Chandler Dr. Westminster, MD 21157

MAP/BLOCK/PARCEL: 52/03/565 Sec 3 Lot 56

APPLICABLE REGULATIONS: Chapters 223-82 and 223-181

HEARING HELD: November 2, 2011

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 a side yard setback reduction from 12' to 6' for a garage are as follows: The applicant first proposed to build a two car carport under Sec 223-179 (A), which would allow a setback reduction of 3' for an open carport. However, once construction started it was realized that he would need to install a retaining wall on two sides of the carport due to the grade of the property and the presence of a line of tall evergreen trees that run along that edge of the property. At that point he decided to build the retaining wall into the frame of the carport and enclose the sides.

Upon review of the property, which has a moderate slope from left to right, the well sits in the rear of the property, and the septic system sits to the right of and along side of the house, which precludes moving the proposed garage to the North side of the house. The angle of the house on the lot parallels the front road, which angles the house closer to the side property line at the rear corner of the house. There is no other location on the property to locate the proposed garage without either massive grading or interfering with the septic system. Therefore, the variance is granted, with the condition that a row of trees be maintained along the south property line screening the addition from the neighbors.

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 223-181 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.

Nov 8 2011
Date

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