Jay C. Voight, Zoning Administrator

410-386-2980, fax 410-386-2451
Toll-free 1-888-302-8978
MD Relay service 7-1-1/1-800-735-2258

Office of Zoning Administration

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

Official Decision
Case ZA-1328
Zoning Administration
Carroll County, Maryland

APPLICANT:	Howard B. Chaney
REQUEST:	Variance to a side yard setback from 12.5 feet to 3.5 feet for a detached garage
LOCATION:	5767 Middleburg Road Keymar, MD 21757
MAP/BLOCK/PARCEL:	35/17/113
APPLICABLE REGULATIONS:	223.177(B)
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 12.5 foot setback to a 3.5 foot setback for a detached garage are as follows:

Mr. Chaney's house was built in 1960 prior to Zoning in Carroll County. The lot Mr. Chaney's house is built on does not meet the requirements of one (1) acre for Agricultural zoned lots, and is therefore covered by Section 223.177(B). By using Section 223.177(B) to determine side yard setbacks, it allows for a setback of 12.5 feet, which is 10% of the average lot width.

Mr. Chaney proposes to build a detached garage located in front of his house. The reason for this placement is that the rear yard is consumed by his septic system which covers his entire rear yard. His well location is on the east side of his house, which precludes building his garage at that location. The location he is proposing sits atop his existing paved parking pad, which helps reduce the amount of ground to be disturbed by the new garage. To place the proposed garage any further away from the side property line would infringe on his existing driveway. Due to the above listed hardships that were not caused by Mr. Chaney, it is appropriate to allow the reduction of his side yard setback for his garage to 3.5 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 223-181 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

Jay C. Voight
Zoning Administrator