No. 58-12-477 Certificate 94-2495

Case ZA-135

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Stewart Taylor
1557 Deer Park Road
Finksburg, MD 21048

REQUEST: A variance reducing the minimum front yard requirement from 40 feet to about 20 feet for detached garage in the front yard.

LOCATION: 1557 Deer Park Rd., Lot 7, in Reisberg Estates, a subdivision recorded at 16/60

APPLICABLE REGULATIONS: Article 5C, Section 5C.5; Article 15, Section 15.1(b), 15.5

HEARING HELD: September 7, 1994

FINDINGS AND CONCLUSION

Background:

The subdivision known as Reisberg Estates was recorded in 1976. At that time the property was zoned "A" Agriculture and was included in the 30 year Water and Sewer plan. The minimum lot size was 20,000 square feet and the minimum lot width was 100 feet.

In 1981, the property was rezoned to "R-20,000" Residence district as part of the Comprehensive Plan for the Finksburg area. The front yard requirement for the "R-20,000" zone is consistent with the minimum building line recorded on the plat.

The hearing notice was in error in citing a 60 foot requirement. The corrected request is for a variance from 40 feet to 20 feet.

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 40 foot yard requirement for a detached garage in the front yard, are as follows:

a) Other possible locations of the proposed garage on this lot are precluded by the well and septic tank locations at either end (side) of the dwelling and by topography which falls rapidly to the rear of the dwelling.

b) An alternative location deeper into the lot was disapproved by the Health Department because it encroached on the septic field.

c) This lot is separated from Deer Park Road by other land not part of Reisberg Estates. The requested front yard variance will have no effect on Deer Park Road traffic.

DATE: Sept. 15, 1994

Solveig L. Smith
Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement

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