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-1369
Zoning Administration
Carroll County, Maryland

APPLICANT:	Keystone Development, LLC
REQUEST:	Reduction of a 30' side yard setback to 15' for a New Building
LOCATION:	5294 Enterprise Street Eldersburg, MD 21784
MAP/BLOCK/PARCEL:	68/13/470
APPLICABLE REGULATIONS:	Chapters 121(B) and 223-181
HEARING HELD:	June 6, 2012

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 reduction of a 30' side yard setback to 15' for a new building are as follows:

The applicant proposes to build a 1 story flex space industrial/office building on Lot 39 in the Central Maryland Service and Distribution Center. The existing lot is approximately 240' long and 143' wide. The applicant proposes to build a 50' to 75' wide building located 15' off of the eastern most property line in lieu of the 30' required side yard. The applicant states that due to the location of the approved septic field and to provide for an adequate access and parking lot layout, the building needs to be as close to the property line as practical.

A question was raised about making the proposed building narrower than the proposed 50'. The applicant stated that 50' was the minimum width needed for his operations and that 50' was a minimum width needed for a viable commercial building.

A concern was raised by an adjoining property owner, who was represented by Pete Podolak of Leon A. Podolak and Associates, about a drainage outfall located on the northwest corner of Lot 40 and assurance that proper care would be taken so that the discharge would not be affected. Those concerns would be addressed during the site plan approval process. Mr. Podolak was not against the proposal.

The applicant stated the hardship for this request was the location of the proposed septic reserve area and the need to provide adequate access and parking.

Therefore, the granting of this variance for a reduction of the required 30' side yard setback to 15' for the construction of a new building on Lot 39 is granted and should have no adverse effect on adjoining properties.

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.

June 18 2012
Date

Jay C Voight
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