Tax Map/Block/Parcel
No. 76-2-166

Building Permit/Zoning
Certificate 92-3402

Case ZA-20

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

**APPLICANT:** Mr. & Mrs. Andy Delaney
3000 Flag Marsh Road
Mt. Airy, MD 21771

**REQUEST:** A variance reducing the minimum required front yard from 50 ft. to about 48 ft. for an addition to the dwelling.

**LOCATION:** 3000 Flag Marsh Road in Election District 13, Lot 9, in Section I of Watersville Acres, a subdivision plat recorded at 10/32.

**APPLICABLE REGULATIONS:** Article 66B, Section 5.04, Article 15, Section 15.5 Zoning Ordinance 1E.

**HEARING HELD:** March 3, 1993

## FINDINGS AND CONCLUSION

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 50 foot front yard requirement for an addition to the dwelling are as follows:

a.) The dwelling was constructed in 1974 in violation of the building line shown on the recorded plat.

b.) A 1989 change in the State law, Chapter 729, Section 5-114 legalized structures located in violation of setback requirements where the situation has existed for 3 years or longer after the final inspection.

c.) The proposed addition will continue the line of the house. The cantilever represents the maximum intrusion.

d.) The existing dwelling and the addition are both beyond the minimum setback by the zoning ordinance.

Solveig L. Smith

March 9, 1993 Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement

Code: Case20.FC