Tax Map/Block/Parcel
No. 63-15-135

Building Permit/Zoning
Certificate 95-3671

Case ZA-223

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Classic American Homes, Inc.
4412 Cherry Tree Lane
Sykesville, MD 21784

REQUEST: A variance reducing the minimum side yard requirement from 20 feet to about 1 foot for a dwelling under construction.

LOCATION: 4100 Homedale Rd, in E.D. 4; lots 19 & 20 in Homedale, a subdivision recorded at 4/27.

APPLICABLE REGULATIONS: Art. 5, Sec. 5.5; Art. 15, Sec. 15.1(b) and 15.5

HEARING HELD: December 6, 1995

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 20 foot yard requirement for a new residence are as follows:

a) This site is part of a subdivision recorded prior to the adoption of zoning regulations in 1965. The lots do not conform to current Conservation zoning and are subject to the modifications allowed under Section 15.1, resulting in a 20 foot side yard requirement.

b) Lot lines can not be altered unless the lots are made to comply with current requirements.

c) Applicant testified that the house location was staked to comply with regulations, but excavation was accidentally shifted, resulting in the encroachment.

d) The house was basically complete at the time the error was discovered. To remove the structure would be an unnecessary hardship to the homeowner.

e) The dwelling on lot 18 will not be adversely affected by the location of the subject residence. A maintenance agreement with the owner of lot 18 has been secured.

DATE: 12-13-95

Solveig L. Smith
Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement
Code: Case 223.DEC