Tax Map/Block/Parcel
No. 21-24-534

Building Permit/Zoning
Certificate 97-0186

Case ZA-308

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

**APPLICANT:** Steven D. Powell
2541 Littlestown Pike
Westminster, MD 21158

**REQUEST:** A variance reducing the minimum front yard requirement from 80 feet to about 29 feet for a detached garage and a reduction to the minimum required side yard from 50 feet to about 18 feet for an addition to the dwelling.

**LOCATION:** 2541 Littlestown Pike, in E.D. 3.

**APPLICABLE REGULATIONS:** Article 5, Sect. 5.5, Article 4, Section 4.16, Article 15, Section 15.5, Zoning Ordinance 1E.

**HEARING HELD:** March 5, 1997

## FINDINGS AND CONCLUSION

Based on the testimony and evidence presented at the hearing, the variance is approved subject to the following conditions or modifications.

Facts which support the request for relief from the strict terms of the Ordinance, in this case a reduction of the minimum front yard requirement for a detached garage and reduction of the minimum side yard requirement for an addition are as follows:

**VARIANCE REQUEST FOR A SIDE YARD SETBACK TO 18 FEET (ADDITION)**
The building addition is proposed for the north side yard and would be attached to the existing single family structure. A variance of 32 feet is requested, reducing the required 50 foot setback to 18 feet. The existing single family structure predates the ordinance and is currently less than the 50 foot setback required in the Conservation Zone.

The applicant would prefer to construct the addition in the north side yard, rather than to the south, due to a desire to maintain the "front" of the house (south side and facing the driveway), as a straight building line. If the addition were constructed in the south side yard, it would seriously disrupt the architectural integrity of the house. In addition, the applicant mentioned a sewer clean-out, at the north east corner of the house. This clean-out, purported by the applicant, necessitates the addition at the north side.

Considerable greenery and large trees are situated along the northern boundary, providing a buffer and landscaping between the two properties at this location.

**VARIANCE REQUEST FOR FRONT YARD SETBACK TO 29 FEET (GARAGE)**
The detached garage is planned to be located south of the house, with access to the existing driveway. The area is graded in a way that is compatible with the proposed building layout. The garage is set close to the Rt. 97, to allow sufficient access and turning area from the existing driveway.

The proposed location would not interfere with existing trees that are substantial in size and height. A substantial shift in the location of the garage would require unnecessary grading and the removal of these large trees.

There are no plans to widen Rt. 97 in the near future. The applicant noted that no widening plans were listed in the State Highway Administration's "20 Year Needs Inventory".

The planned garage is only two feet from the top edge of the slope and would be closer to the road than existing buildings. The applicant concurred that the garage should be moved back two more feet from the road, to be more in line with the setback distances of existing structures fronting along the road. In this way, the garage is more compatible with the neighborhood and building setbacks.

**DECISION**

The variance request for a side yard setback to 18 feet is granted for the addition. The variance request for the front yard setback to 29 feet for the construction of a garage is disapproved, but a variance to a setback of 31 feet is authorized.

DATE: 3/6/97

James L. Shumacher, Zoning Administrator Hearing Designee

cc: Zoning Enforcement
Code: Case 308.D97