Tax Map/Block/Parcel
No. 45-19-202

Building Permit/Zoning
Certificate 97-0359

Case ZA-316

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

**APPLICANT:** Philip S. Beacham III
1636 Old New Windsor Pike
New Windsor, MD 21776

**REQUEST:** A variance reducing the minimum side yard requirement from 20 feet to 1.7 feet respectively for a detached garage.

**LOCATION:** 1636 Old New Windsor Pike, in E.D. 11.

**APPLICABLE REGULATIONS:** Article 6, Section 6.7, Article 15, Section 15.5; Zoning Ordinance 1E.

**HEARING HELD:** April 2, 1997

**FINDINGS AND CONCLUSION**

Based on the testimony and evidence presented at the hearing, the variance is denied.

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

a. Such a severe reduction in the required setback causing the structure to be this close to an adjoining property line is not justifiable.

b. No testimony was provided as to practicality, difficulty, or undue hardship that required placement of the garage as proposed.

c. Placement elsewhere on the property could be accomplished.

d. Placement of the garage behind the rear line of the dwelling under Section 15.2(b) would allow the garage to go within 5 feet of the side property line.

e. Approval as proposed could have a severe impact on the adjoining property. The adjoining property is a working farm and it is evident it is planted right up to the property line. The use of large farm implements and their maneuverability could propose a hazard to the operator of the equipment if the proposed garage were allowed to be within the requested variance.

DATE: 4/8/97

George V. Beisser, Acting Zoning Administrator

cc: Zoning Enforcement
Code: Case 316.D97