Tax Map/Block/Parcel
No. 51-11-77

Building Permit/Zoning
Certificate 97-1042

Case ZA-330

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: H. Bradford & Kathi Danish MacLellan
1613 Exeter Road
Westminster, MD 21157

REQUEST: A variance reducing the minimum rear yard requirement from 50 feet to about 21 feet for an addition.

LOCATION: 1613 Exeter Road, in E.D. 7.

APPLICABLE REGULATIONS: Article 5C, Section 5C.5, Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: June 4, 1997

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 variance reducing the minimum rear yard requirement for an addition are as follows:

This dwelling was built in 1967 and at that time was zoned "A" Agricultural. Two historical errors were noted in investigating for the variance.

First, the dwelling was placed on the lot incorrectly as far as setbacks are concerned. It has always been required that on flag lots, which lot #7 is, that the property line which parallels the road, in this case Exeter Road, is considered the front property line. The dwelling should have been setback 40 feet from the aforementioned property line.

Secondly, a variance was granted in Case 619, February 2, 1970 for a garage and the Board of Zoning Appeals errantly called the aforementioned property line the side property line. The Board of Zoning Appeals does state "C. Considering the case, the Board noted that Zoning Ordinance requirements for front, side, and rear yards apparently were not observed." The Board was correct in this statement but incorrect in establishing what was the correct front yard.

This variance request to enclose an existing patio and extend a wing of the house, designated as "1" and "2" respectively on the plat plan and the application for hearing are moot points as both are side yards and do not encroach the minimum 20 foot setback for side yards.

6/9/97 George L. Beisser / jad

George L. Beisser, Acting Zoning Administrator

cc: Zoning Enforcement
Code: Case 330.D97