Tax Map/Block/Parcel
No. 63-15-307

Building Permit/Zoning
Certificate 97-2045

Case ZA-356

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Jeffrey K. Richards
4317 Cherry Tree Lane
Sykesville, MD 21784

REQUEST: A variance reducing the minimum rear yard requirement from 50 feet to about 12 feet for an attached garage.

LOCATION: 4317 Cherry Tree Lane, in E.D. 14.

APPLICABLE REGULATIONS: Article 5, Section 5.5, Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: September 3, 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 and side yard requirements for an attached garage are as follows:

This case also required a side yard variance from 50 feet to about 41 feet, which was not advertised in the letters to contiguous property owners or on the posted sign. This variance for the side yard was handled administratively during the hearing for the rear yard as the facts which support the granting of the rear yard variance also apply to the side yard.

a. Due to the topography and where the septic system had to be placed when the dwelling was originally built placed the dwelling 325 feet from the front property line.

b. The location of the septic system directly in front of the dwelling and the well located in the rear of the dwelling in addition to the driveway access to the property severely limit where any addition or even detached accessory structures could be placed.

c. The only thing that brings this issue forward to the hearing process is the (6) six foot wide breezeway, that attaches the garage to the dwelling. Section 15.2(b) of the Zoning Ordinance provides that a detached accessory structure could be placed within (5) five feet of a side and rear yard.

d. The rear and left side property lines are screened with trees and heavy vegetation.

e. Placement of this addition will have no adverse affect on adjoining properties.

f. Issuance of the building permit for this addition is contingent upon the applicant obtaining a zoning certificate for a home occupation (computer repair) and the signing of the affidavit indicating no more than 500 square feet of the addition can be utilized for the home occupation.

9/10/97 George L. Beisser

George L. Beisser, Zoning Administrator

cc: Zoning Enforcement
Code: Case 356.D97