Tax Map/Block/Parcel
No. 52 18 465

Building Permit/Zoning
Certificate 98-2555

Case ZA-421

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Craig & Kathleen Krauss 1709 Lauterbach Road Finksburg, MD 21048
REQUEST:	A variance reducing the minimum side yard requirement from 20 feet to about 14 feet for a breeze way and a garage
LOCATION:	1709 Lauterbach Road Finksburg, MD 21048 Election District 4
APPLICABLE REGULATIONS:	Article 5C, Section 5C.5, Division 5C.5, Article 15, Section 15.5 Zoning Ordinance 1E
HEARING HELD:	October 7, 1998

FINDINGS & CONCLUSIONS

Based on the testimony and evidence presented at the hearing, the variance is denied with conditions for approval if applicant agrees to conditions.

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

Presentation and testimony along with a visit to the site by the Zoning Administrator did not support practical difficulty or undue hardship. The property line adjacent to the proposed garage borders a use-in-common driveway to a parcel in the rear of the applicants' property.

Garages in rural areas and by todays living standards, work locations, and multiple drivers in a household can in some ways be looked at as a necessity. Breeze ways however cannot be categorized as a necessity. The location of the dwelling and any adverse topographical conditions such as slopes or swales do not prevent the construction of a garage from meeting the required 20 foot setback.

Testimony was presented that the air conditioning unit was on the right rear side of the house and the electric meter on the right front side of the house. Reduction of the breeze way to 8 feet in width or elimination of it would allow the garage to be slid six feet further from the property line and therein meeting the setback requirements. Free access to the air-conditioning unit and the meter would still be available.

Reversal of the denial can be accomplished under the following conditions:

1. Reducing the width of the breeze way, or removing it, to 8 feet to accomplish the required setback.

2. Submission of an amended plot plan within 15 days of receipt of this decision showing said changes.

Acceptance of these conditions would allow issuance of a permit as required setbacks would be met. This would not be a variance and any 30-day appeal period available to adjacent property owners.

The applicant does retain the opportunity to appeal this decision within 30 days to the Board of Zoning Appeals.

October 9, 1998

Date

George L. Beisser
Zoning Administrator

cc: Zoning Enforcement

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