Tax Map/Block/Parcel
No. 39 16 733

Building Permit/Zoning
Certificate

Case ZA-458

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Kevin Dodd 1325 Nicodemus Road New Windsor, MD 21776
REQUEST:	A variance reducing the minimum side yard requirement from 50 feet to about 25 feet for a proposed dwelling
LOCATION:	797 Mountain View Drive Westminster, MD 21157, E.D.7
APPLICABLE REGULATIONS:	Article 5, Section 5.5, Article 15, Section 15.5; Zoning Ordinance 1E
HEARING HELD:	June 2, 1999

FINDINGS & CONCLUSIONS

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 dwelling, are as follows:

Practical difficulty or undue hardship not the action of the applicant is required to be proven for a variance from the strict terms of the ordinance to be granted.

In this case, the applicant was unable to show a viable defense of practical difficulty or undue hardship. This is an odd shaped lot yet the proposed dwelling can fit in the buildable area for residence (BAFR)and meet setback requirements.

By turning the placement of the house within the building envelope access and full use of the property can still be accomplished.

NOTE:

Appeals of decisions made pursuant to Section 15.5 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Section 17.4 of the Carroll County Zoning Ordinance 1E.

A decision of the Zoning Administrator made pursuant to Section 15.5 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

June 3, 1999
Date

George L. Beisser
Zoning Administrator

cc: Zoning Enforcement

Code:D:\Official Decision June 2 1999 ZA458 Dodd.wpd