Tax Map/Block/Parcel
No. 68 5 274

Building Permit/Zoning
Certificate

Case ZA-474

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Joseph L. Ciampa, Jr. 4855 Cherry Tree Lane Sykesville, MD 21784
REQUEST:	A variance reducing the minimum front yard requirement from 40 feet to about 27 feet for an addition
LOCATION:	4855 Cherry Tree Lane Sykesville, MD 21784
APPLICABLE REGULATIONS:	Article 5, Section 5.5, Article 15, Section 15.5; Zoning Ordinance 1E
HEARING HELD:	September 1, 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 front yard requirement for an addition, are as follows:

Denial of this variance application is based upon the criteria necessary for granting a variance, and that is, practical difficulty or undue hardship. No substantial testimony was presented by the applicant to qualify either practical difficulty or undue hardship.

Alternatives to design could be sought by the applicant that would still allow an addition to this dwelling without the need for variances.

In granting a variance one shall not do so if to do so would violate the spirit and the intent of the regulation, or cause or be likely to cause substantial injury to the public health, safety and general welfare.

The intent of the ordinance as it applies to front yard setbacks is to provide a buffer of safety for the residents of the property from traffic upon roadways and to provide a separation of traffic from residential use and to provide for some expansion of roadways as growth occurs.

Section 4.16 of the ordinance was created to secure this intent. The section determines how front yard depth is measured. On a County collector or major street 30 feet is added to the minimum required front yard for the zone the dwelling is in. In this case the front yard requirement is 40 feet, adding the 30 feet makes the setback from the center line a total of 70 feet.

The existing house currently protrudes approximately three and a half feet (3.5) into the minimum building line. Allowing this proposed addition to further protrude an additional eleven (11) feet would not conform to the purpose of zoning or concern of public safety.

The dwelling is located on a fairly sharp curve along a 22 foot wide paved roadway. Concern is for the safety of the dwelling and its occupants and for any necessary widening of the roadway.

Granting of this variance would have an adverse effect on the property itself and the orderly growth of the community and is thereby denied.

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.

September 9, 1999

Date

George L. Beisser

George L. Beisser
Zoning Administrator

cc: Zoning Enforcement

Code: D:\Official Decision Sept 1 1999 ZA474 Ciampa.wpd