Tax Map/Block/Parcel
No. 10-17-10

Building Permit/Zoning
Certificate BP00-3010

Case ZA-529

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Ralph G. Shipley 4126 Francis Scott Key Highway Taneytown, Maryland 21787
REQUEST:	A variance to reduce the minimum required side yard setback from 20 feet to 1-1/2 feet for a detached carport
LOCATION:	4126 Francis Scott Key Highway Taneytown, Maryland 21787
APPLICABLE REGULATIONS:	Article 6, Section 6.4(a)and 6.7; Article 15, Section 15.5; Zoning Ordinance 1E
HEARING HELD:	November 1, 2000

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 required side yard setback from 20 feet to 1-1/2 feet for a detached carport in front of the house are as follows:

Mr. Shipley was an employee of the county before retiring 19 years ago. At that time, the county did not require a permit for the installation of a carport. Mr. Shipley came into the Permits and Inspections Department to inquire about the cost of a permit and no one was able to give him an answer. As a result, Mr. Shipley had the carport installed. The carport does not have a foundation, but three spikes into the ground. Mr. Shipley obtained a print out of permits issued for carports. Mr. Maring could not advise Mr. Shipley the cost of the permit. Mr. Shipley stated that he received a letter from Mr. Maring stating that he would either have to remove the carport or come for a variance hearing. Mr. Shipley stated that he put the roof over the existing blacktop.

Mrs. Clapsaddle opposes to this variance, since there is a discrepancy on the property lines.

The size and age of the blacktop pad has no bearing on the case. The carport is a structure. The definition of a structure is anything constructed, the use of which requires fixed location on the ground. Therefore, a permit is needed and a variance from 20 Feet to 1-1/2 Feet is unreasonable and excessive; therefore there must be another place on the property to erect this carport.

If the two parties involved cannot resolve the property line dispute, this issue may have to be placed in the hands of the Court for a decision.

NOTE:

Appeals of decision 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.

11/14/00
DATE

Karl V. Reichlin
KARL V. REICHLIN
ZONING ADMINISTRATOR'S DESIGNEE

cc: Zoning Enforcement

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