No. 73-10-700

Case ZA-53

Building Permit/Zoning
Certificate 93-2248

Check 2-15-94
549-7818

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Jon W. Peterson
6166 Freedom Avenue
Eldersburg, MD 21784

REQUEST: A variance reducing the minimum required side yard from 5 feet to about 22 inches for an detached deck.

LOCATION: 6166 Freedom Ave. in E.D.5: lot 73 in Section 3 of Piney Ridge Village, a subdivision recorded at 28/146

APPLICABLE REGULATIONS: Article 15, Section 15.2 (b), 15.5

HEARING HELD: September 1, 1993

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 5 ft. side yard requirement for a detached deck are as follows:

a) The deck is existing and was constructed under a valid Building Permit/Zoning Certificate, 92-2309 before the intrusion into the side yard was discovered.

b) The Bureau of Permits & Inspections has determined that the existing structure will not impede the flow of storm water.

Approval of this variance is subject to the following conditions:

1) For the purpose of restricting active use on the portion of the deck nearest to the dwelling on lot 74, the applicants shall modify the railing system so as to prohibit access to that area except for maintenance. The area to be restricted shall extend approximately 15 ft. from the front corner of the deck toward the rear. Applicant shall submit a drawing showing the proposed modification to the zoning administrator for approval.

2) Applicants shall establish a row of trees for screening between the deck and the common property line with lot 74. Trees shall be of sufficient height and density to serve as a visual barrier.

3) The foregoing modifications shall be completed within six (6) months.

DATE: Sept 15, 1993 Solveig L. Smith
Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement

Code: Case53.FC