Tax Map/Block/Parcel
No. 58 18 677

Building Permit/Zoning
Certificate BP-01-1708

Case ZA-594

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Celestine D. & Lenay A. Grabowski 118 Gentlebrook Road Owings Mills, Maryland 21117
REQUEST:	A variance from the required minimum setback of 50 feet to 40 feet for the construction of a new dwelling in the Conservation District
LOCATION:	3185 Wheatfield Road Finksburg, Maryland 21048
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-37 and 223-181
HEARING HELD:	September 5, 2001

FINDINGS & CONCLUSIONS

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 reduction of the minimum required setback of 50 feet to 40 feet for the construction of a new dwelling in the Conservation District, are as follows:

The Applicants purchased the lot in 1995, which is in a Conservation District requiring a 50 Ft. setback around the perimeter of the lot. The original plat from the builder/developer showed a house in a location that met the required setbacks. However, the Applicants' proposed house is larger than the house shown on the plat and would encroach into the 50 Ft. minimum setback requirement. Without the variance, the house would have to be relocated 30 to 40 Ft. back on the property to comply with the Code of Public Local Laws and Ordinances. By relocating the house, an ejector pump would need to be installed instead of being gravity fed to the septic field. The house design includes a walk out with a front porch, which would also result in an elevation change to the house. Driveway changes would also need to be made. Denial of this request would cause undue hardship, practical difficulty and an additional expense of $9,000 for the Applicants. Therefore, the variance request is approved on those bases.

A neighbor was present at the hearing and supports the applicants' request; therefore, the granting of this variance should have no adverse effect on any adjoining property owners.

This approval is valid for one year from the date of a Zoning Certificate.

NOTE:

Appeals of decision made pursuant to Chapter 223-183 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Chapter 223-188 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-183 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

9/13/01
DATE

ROBERT A. BAIR
ZONING ADMINISTRATOR

cc: Zoning Enforcement