Tax Map/Block/Parcel
No. 031 18 358

Building Permit/Zoning
Certificate BP-01-1519

Case ZA-603

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Mark A. Koski 1685 Tull's Overlook Drive Westminster, Maryland 21157
REQUEST:	A variance from the required minimum setback of 40 Ft. to 38 Ft. 10 in. for a single family dwelling
LOCATION:	1685 Tull's Overlook Drive Westminster, Maryland 21157
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-75 and 223-181
HEARING HELD:	October 3, 2001

FINDINGS & CONCLUSIONS

Based on the testimony and evidence presented at the hearing, the variance is granted.

The Applicant is requesting a required minimum setback of 40 Ft. to 38 Ft. 10 in. for a single-family dwelling. The footprint where the house was proposed, did not show the topography accurately where the engineering was done since it was a partially wooded lot. The house was sited three times during the permit process and started out originally with a 63 Ft. setback on the side line that is a 40 Ft. minimum building line. Since the grade was so much lower, the house did not physically work in that location; therefore it was changed from a 63 Ft. setback to a 50 Ft. setback. This still didn't work, since the lower side was still over 14 Ft. lower than the topside. Between the septic reserve area, the well location, and the grades on the lot it was determined that the house needed to be set at 41 Ft. from the building restriction line that was 40 Ft. During the engineering process, the architectural drawings were modified that added 2 Ft. to the garage. The architectural drawings did not get forwarded to the engineer; therefore the engineer staked it out to the original drawings. As a result, the construction of the house began from the new drawings, which caused the front corner of the garage to exceed the building restriction line by 14 inches.

To modify the house plans to work from the building restriction line would be very costly. Construction of the dwelling on any other location of the Applicants' property would create unreasonable and practical difficulty. On that basis, the variance request is hereby granted.

There were no neighbors present at the hearing opposing the applicant's 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.

October 11 2001
DATE

Ralph E. Green
RALPH E. GREEN
ACTING ZONING ADMINISTRATOR

cc: Zoning Enforcement