Tax Map/Block/Parcel
No. 7 20 33

Building Permit/Zoning
Certificate BP-01-3021

Case ZA-607

# Official Decision
## Zoning Administrator
### Carroll County, Maryland

| | |
|---|---|
| **APPLICANT:** | Martin P. Hill<br>4219 Hanover Pike<br>Manchester, Maryland 21102 |
| **REQUEST:** | A variance from the required minimum setback of 35 Ft. to 23 Ft. for the construction of a garage |
| **LOCATION:** | 5203 North Church Street<br>Lineboro, MD 21102 |
| **APPLICABLE REGULATIONS:** | Code of Public Local Laws and Ordinances, Chapters 223-178 and 223-181 |
| **HEARING HELD:** | October 3, 2001 |

## FINDINGS & CONCLUSIONS

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

A unique situation exists on this property since this property was constructed in 1820, before the dirt road was improved to a public county road and prior to the Zoning Ordinance. The entire parcel lies on both sides of the road. The buildings that currently exist on the site do not meet the setback off of North Church Street in any location. Since the road has been taken out of the tract, a portion of the property becomes a corner lot and in order to meet the ordinance there are two front yard setbacks instead of one front yard, two sides and a rear. The North Church Street side of the property, which would be considered a side yard creates the need for a variance, since there is no ability to accomplish the 40 Ft. under the Ordinance, nor to use the 35 Ft. that is acceptable due to the averaging of the setbacks. The proposed garage will be 21 Ft. wide with a single door. Due to the grade situation, the closeness of the spring and smokehouse on the property and limited access to the street, the construction of this garage on any other location of the Applicant's property would create unreasonable and practical difficulty.

A neighbor was present at the hearing addressing safety concerns with entering and exiting the garage. As part of a measure to insure a level of safety, the Applicant will place the driveway to the garage where there is the most space towards Main Street and will relocate the mailbox post. The granting of this variance should have no adverse effect on any adjoining property owners. The Use and Occupancy Permit will be held for Zoning Administrator approval to allow for an inspection for compliance.

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
ACTING ZONING ADMINISTRATOR

cc: Zoning Enforcement