Tax Map/Block/Parcel
No. 46 20 717

Building Permit/Zoning
Certificate BP-02-2313

Case ZA-663

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Benjamin Perricone 801 Franklin Avenue Westminster, Maryland 21157
REQUEST:	A variance from the required minimum setback from 5 Ft. to 1 Ft. for the construction of a detached garage.
LOCATION:	801 Franklin Avenue Westminster, MD 21157
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-178 and 223-181
HEARING HELD:	July 2, 2002

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 from 5 Ft. to 1 Ft. for the construction of a detached garage, are as follows:

Franklin Avenue is located in the Fairfield District, which is a completely built out residential neighborhood. The lots are small and the Applicant's lot is one of the smallest lots at 85 Ft. wide. The depth is equivalent to the other lots in the neighborhood; however the Applicant's lot is 10 Ft. narrower in width than the others in the neighborhood. The current required setback of 5 Ft. would create a 120 Sq. Ft. area, that would be 5 Ft. wide by the length of the garage that would still be on the Applicant's property, but would be useless for the Applicant. In the neighborhood, the Applicant's house is the only residence that does not have either a garage or a carport. Should the variance be denied, a hardship would be created for the Applicant, since there would be a loss of 120 Sq. Ft. of use. There are no structures on the adjoining property owner, therefore, the placement of a garage would not infringe upon them. The proposed location of the garage is behind the property, which creates no access or drainage issues. The construction of the garage will mirror the house with the roof extending approximately 6 inches. The gable end of the garage would be facing towards the road and the entrance of the garage would be facing the driveway. On the backside, which is close to the property line, the amount of overhang will be what is necessary for a gutter. One foot will allow for maintenance of the grass.

No neighbors were 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.

July 16, 2002
DATE

Ralph E. Green
RALPH E. GREEN
ACTING ZONING ADMINISTRATOR

cc: Zoning Enforcement