Tax Map/Block/Parcel
No. 73 11 303

Building Permit/Zoning
Certificate BP-02-3221

Case ZA-683

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Blevins-Hill, Inc. 4219 Hanover Pike Manchester, Maryland 21102
REQUEST:	A variance from the required minimum front yard setback of 35 Ft. to 15 Ft. for the construction of a single-family dwelling.
LOCATION:	Lot #24 Lee's Addition Eldersburg Estates, N.E. corner of Macbeth Way & Barnett Avenue Eldersburg, MD 21784
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-89 and 223-181
HEARING HELD:	September 3, 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 front yard setback of 35 feet to 15 feet for the construction a single-family dwelling, are as follows:

When this particular lot #24 was designed, it was designed as an interior lot in a row of lots. It was not a corner lot. When Macbeth Way was built, the next lot was taken to create the right-of-way for Macbeth Way. As a result, the lot that was never designed to be a double frontage lot is now a double frontage lot instead of an interior lot. The lots were recorded in 1952 (prior to zoning ordinance) at which time there was no Macbeth Way, only a dirt access road. With the development of Eldersburg Estates and Benjamin's Claim, this one lot to the left (Lot #25) was used to create a right-of-way. This lot sits above Macbeth Way so that it is not going to impact anyone by having a reduced side yard requirement. The Applicant is requesting this variance reduction in order to construct a reasonable house on the lot.

A letter of concern was received from Ms. Shellie L. Armiger, which was read into the record by the Acting Zoning Administrator. The Applicant will contact Ms. Armiger to address the concerns raised.

Based on the testimony given, the 15 Ft. variance request from the 50 Ft. requirement on what is now the front of the lot on Macbeth Way is certainly not an issue raised by the adjoining property owner on Barnett Avenue, since the setback is still maintained on Barnett Avenue. The proposed 15 Ft. does not have any adverse effect on Macbeth Way, such as with sight distance, right-of-way issues or any adjoining properties. To construct a home on the lot without obtaining a variance would only allow for a long, narrow, cracker-box type house that would not be beneficial to any homeowner nor would it be compatible with the existing neighborhood. This testimony has proven undue hardship for the Applicant; therefore the variance is herby granted.

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.

SEPTEMBER 12, 2002
DATE

Ralph E. Green
RALPH E. GREEN
ACTING ZONING ADMINISTRATOR

cc: Zoning Enforcement