Tax Map/Block/Parcel
No. 40 23 403

Building Permit/Zoning
Certificate BP-02-3524

Case ZA-689

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Melvin Nash, Jr. 331 Shamer Lane Hampstead, Maryland 21074
REQUEST:	A variance from the required minimum side yard setback of 50 Ft. to 5 Ft. for a tractor shed.
LOCATION:	331 Shamer Run Drive Hampstead, MD 21074
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-37 and 223-181
HEARING HELD:	October 1, 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 side yard setback of 50 feet to 5 feet for a tractor shed, are as follows:

The Applicant has owned the property for 13 years and a shed was located to the rear and east of the house. The shed was used to house a tractor. This tractor is used by the Applicant to maintain the road during the winter season in which a letter of confirmation is placed in the file. During the winter season, the Applicant had difficulty in retrieving the tractor from the shed's location due to the topography of the land. The land forms a valley, which runs towards the stream at the bottom of a long slope. As a result, the Applicant found it necessary to relocate the shed on a more practical location of the property where the ground was level, which is at the end of the Applicant's driveway. It was noted that one side of the shed is also used as partial shelter from the elements of winter for a vehicle. Before relocating the shed, the Applicant contacted two building contractors in Carroll County and was told that if a structure had no fixed foundation, no permit would be required. The location of the shed is close to an adjoining property owner and for over 10 years there was never a concern. Practical difficulty and undue hardship would be created for the Applicant to relocate the shed to another portion of the property.

A neighbor of 3 years was in attendance at the hearing to oppose this variance request and a letter was read and presented for the record.

Based on the testimony given, the facts that the shed has existed for over ten years at its present location, information received by the

Applicant that no permits were required and the topography of the land, the variance request has been granted. The placement of the shed should have no adverse effects to any adjoining property owner. A statement of confirmation was received on behalf of the Applicant stating that the Applicant maintains the lane, which serves the homes in the area during the winter months.

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 10, 2002
DATE

GAYLE FRITZ
ACTING ZONING ADMINISTRATOR'S DESIGNEE

cc: Zoning Enforcement