Tax Map/Block/Parcel
No. 40 23 378

Building Permit/Zoning
Certificate BP-02-3260

Case ZA-690

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Geoffrey E. & Kathy E. Healy 2955 Hoffman Mill Road Hampstead, Maryland 21074
REQUEST:	A variance from the required minimum setback of 37.5 Ft. to 22 Ft. for a deck around a portion of an existing in-ground swimming pool.
LOCATION:	2955 Hoffman Mill Road Hampstead, MD 21074
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-179 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 setback of 37.5 Ft. to 22 Ft. for a deck around a portion of an existing in-ground swimming pool, are as follows:

The Applicants' home was positioned on the lot according to the perc test. The home could not be positioned any further forward on the lot due to the topography of the lot. As a result, the house was built in a tilted position instead of a straight line, which creates the inability to comply with the 37.5 Ft. setback under the Zoning Ordinance. The in-ground pool is located to the rear of the property. The septic system is located on one side of the swimming pool and the well is located on the other side. In order to access the pool from the house, the Applicants are proposing to construct a deck around the pool. The hill creates the need to attach the deck all of the way up to the house, since there is no accessibility to the pool because of the drop off. A rented cornfield borders the rear of the Applicants' property.

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.

October 10, 2002
DATE

Gayle Fritz
GAYLE FRITZ
ACTING ZONING ADMINISTRATOR'S DESIGNEE

cc: Zoning Enforcement