CARROLL COUNTY GOVERNMENT
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Office of Zoning Administration
Neil M. Ridgely
Zoning Administrator

14 July 2003

Mr. and Mrs. D. Kermit Leibensperger
4646 Poole Rd.
Sykesville, MD 21784

Re: Variance for locating a shed within the minimum setback area
A reduction from the required 20 feet setback to 10 feet
Case ZA-764, Sections 223-75 and 223-181 of the Carroll Zoning Code

Dear Mr. and Mrs. Leibensperger:

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

Facts which support the request for relief from the strict terms of The Carroll County Zoning Ordinance, in this case a reduction to the required side-yard setback of twenty (20) feet to ten (10) feet to allow placement of a storage shed.

The property was inspected by the Zoning Administrator. The property is sloped to the rear, supporting the applicants desire to locate the shed on a level grade, adjunct to the paved driveway area. There is an evergreen screen planting between the proposed shed location and the adjoining property (George). The site was properly posted and adjoining property owners notified.

Opposing testimony was made by Mr. Phillip George (4652 Poole Rd.), an adjoining property owner. Mr. George's concerns were about possible negative effects to neighborhood property values. Mr. George submitted three photographs as evidence of his concern that the proposed shed location may have a negative impact on the conservation of property value of his property. The Office of Zoning Administration did not receive any other comments in opposition to the variance by either mail or telephone prior to the hearing.

While concerns about the maintenance of property values are valid, the standard used for a variance decision of this nature must allow for the ability of each property owner to fully enjoy the use of their property and whether the granting of a variance would adversely affect the public health, safety, security, morals or general welfare of the people living in the neighborhood. In that regard I do not feel that denying the request would necessarily benefit existing conditions in the neighborhood. As residential developments throughout Carroll County mature, families are increasingly finding that additional storage space is needed than was originally planned on. As evidenced by the majority of variance appeals brought to this office, more of the space dimensions of each lot are needed for additions,

decks and storage sheds / garages.

Considering the size of the lots in this subdivision and the evergreen tree planting between the George and Leibensperger properties, I do not believe the construction of a storage shed will diminish neighborhood property values nor have an otherwise negative impact on the community.

Per Section 223-181, strict compliance with the terms of the zoning ordinance would be impractical and cause undue hardship on the petitioners.

This approval is valid for one year. Appeals to this decision must be filed within 30 days of the date of the approval.

Sincerely,

Neil M. Ridgely
Zoning Administrator

CC: Adjoining property owners
file