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

Notice of Decision

Case # ZA-806
Permit # 03-3957

Variance Request: For a reduction in the minimum front yard setback of 35 feet to 26 feet for the addition of a sunroom at 2918 Cedarhurst Road, Finksburg, MD, election district 4 by Scott A Smith, mailing address 4798 Wentz Road, Manchester, MD 21102.

Basis for Variance: Chapters 223-89 and 223-181 of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Denied

Basis for Decision: The property is zoned, R-20,000, a residential zoning district. At the Variance hearing, Mr. Smith testified that he currently has three rental units in the property and that he intended on constructing the Sunroom on the front of the house so that he could use it as a display area for sales of other sunrooms through a franchise or brokering arrangement. Though Mr. Smith stated that the property is zoned "commercial", a check of the zoning records indicates that it is not. The property may have been used previously by a contractor for offices, perhaps as a non-conforming use, but that use does not transfer for display and sales from this location.

The area known as Cedarhurst does have commercial uses at the far southern end (MD Rt. 140), a used car lot and real estate sales office, and a non-conforming contractor's storage yard at the opposite end nearest MD Rt. 91. This is an older, established residential community and commercial uses within the core of the community are prohibited, save those permitted in § 223-78 and 223-79 of the Carroll County Code of Public Local Laws and Ordinances. It is obvious from the testimony and a personal visit to the site, that the addition of a sunroom on the front of the house would not be solely for the use and enjoyment of the tenants.

For the above stated reasons this variance is denied.

4 December 2003

Neil M. Ridgely
Zoning Administrator

Per Section 223-182 or the Carroll County Code of Public Local Laws and Ordinances, appeals of this decision must be made within 30 days of the date of the decision to the Board of Zoning Appeals pursuant to Section 223-188 of the Carroll County Code. Unless timely appealed, parties may not thereafter contest the Zoning Administrator's decision.