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

CORRECTED
Notice of Decision

Case # ZA-819
Permit # 04-0214

Variance Request: For a variance from the minimum rear yard setback of 40 feet to 15 feet and the side yard setback from 12 feet to 1 feet for an attached garage with an in-law apartment at 1102 Suellen Drive in Hampstead, MD, election district 08 by Elmer and Donna Anderson.

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

Decision: Approved

Basis for Decision:

It is the opinion of the Zoning Administrator that approval of the variance request will not:

- Adversely affect the public health, safety, security, morals, or general welfare.
- Result in dangerous traffic conditions or jeopardize the lives or property of people living in the neighborhood.

In making this determination, the Zoning Administrator cannot answer in the affirmative to the criteria provided in Section 223-191 of the Carroll County Code that:

- There would be a detrimental affect on the people working or residing in the area
- There would a negative impact on the orderly growth of the community
- There would be a detrimental effect on the peaceful enjoyment of people in their homes.
- That the use would have a negative effect on the conservation of property values.
- That there would be any effect from odors, dust, gas, smoke, fumes, vibrations, glare, and noise upon surrounding property values.

There was no testimony in opposition to the variance. In making the determination on this variance I find that the topography shape of the lot are unique, making it particularly difficult to enlarge the home without practical hardship for the homeowner. The site is already paved so loss of pervious area is not a factor. Further, the home is quite old (late 19th or early 20th century) so the addition of living area is quite appropriate. Placing the addition elsewhere on the home is not practical due to the lot layout and topography.

21 April 2004
Originally dated 8 March 2004

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.