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

# Notice of Decision

Case # ZA-831
Permit # 04-0440

**Variance Request:** For a variance from the required minimum front yard setback of 35 feet to 25 feet for the construction of a new dwelling at 806 Martz Road in Eldersburg, MD by Catonsville Homes LLC.

**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.

Catonsville Homes was represented by Mr. Martin Hackett of CLSI and Mr. Frank Potepan of Catonsville Homes LLC. Mr. Hackett made the case that the property located at 806 Martz Road unique in its configuration due to its being bordered by three roadways, Martz Road, Freedom Avenue, and a future section of Piney Ridge Parkway. The oddly shaped lot makes it virtually impossible to place a home of similar size to those in the rapidly developing surrounding community. Mr. Richard Johnson of 812 Avonshire Ct. spoke in favor of the variance. There were no Protestants.

15 April 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.