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

Notice of Decision

Case # ZA-848
Permit # 04-1525

Variance Request: For the following:

- A reduction in the minimum side yard setback from25 ft. to 10 ft. to accommodate an existing structure.
- A reduction in the minimum front yard setback from 50 ft. to 44 ft. to accommodate an existing structure.
- A reduction in the travel way from 25 ft. to 24 ft. to allow for an increase in interior sidewalk width.
- A reduction in the size of the parking spaces along the interior travel way from 20 feet to 17 feet.
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Basis for Variance: § 223-113 and § 223-181 and § 103-24 and 103-25 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 effect 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.

This location, known as the proposed Liberty Station Center, is in the process of re-development from an existing building materials supply depot to a retail shopping center. Two of the requested variances are needed to allow for the re-use of the existing buildings. While the buildings meet the current setbacks for the BG zone and current use, the redevelopment requires that the site be considered a Planned Business Center, thereby reducing the setbacks. The variances for the travelway and parking lot size

reductions are again related to site redevelopment and use of the existing buildings. These reductions will allow for an adequately sized sidewalk for internal pedestrian use. I believe that the developer, Mr. Pirone, and Mr. Dick Evans representing the site engineer have made a sufficient case that the site is unique in that they are trying to use the existing buildings, a planning pattern that is to be encouraged, and that a significant hardship would be created if the variances were denied because doing so would require demolition of still serviceable buildings on the site and construction of new buildings which may not serve the site or the community any better than this redevelopment project. Since the site consists of more than one building, interior pedestrian access is a viable concern for the safety and convenience of those who will use this center in the future.

3 June 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.