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

Notice of Decision

Case # ZA-852
Permit # 04-2028

Variance Request: For a variance from the minimum front yard setback from 40 feet to 10 feet for a detached garage at the residence at 1704 Lauterbach Rd., Finksburg, in Election District 04 by Robert Truchon.

Basis for Variance: § 223-166 and § 223-181 of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Approved, with a condition.

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.

The applicants were persuasive in their testimony that their lot is unique in that it does not have any real road frontage, save their driveway entrance and that due to the unique configuration of the lot, the proposed location is the only suitable area. Apractical hardship would exist if they were not able to place the garage in the proposed location because of the location of the septic system, reserve septic areas, and location of the house on the lot. A field review of the site verified that the lot is indeed uniquely configured. There were no Protestants to the variance.

This variance is granted on the condition that Truchon obtain a waiver of the Minimum Building Line from the Carroll County Planning Commission or its designee.

19 July 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.