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

Notice of Decision

Case # ZA-865
Permit # 04-2574

Variance Request: For a variance from the minimum front yard setback from 40 feet to 18 feet and from the required side yard setback from 20 feet to 10 feet for a detached garage / storage building at 1480 Greenwood Church Road, New Windsor, MD in Election District 11 by Mark Paolini.

Basis for Variance: § 223-75 and § 223-181 of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Approved, with the condition that the garage is used soldy for residential purposes.

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 applicant was persuasive in his testimony that a practical hardship would exist if the garage were not permitted. The new garage will replace another in a nearby location which was destroyed in a storm. A field review of the site verified that it would pose a practical hardship to locate the garage elsewhere on the lot given the topography. Disturbance will be minimal if the addition is constructed in the proposed location. There were no protestants to the variance.

9 September 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.