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Office of Zoning Administration
Neil M. Ridgely
Zoning Administrator

Notice of Decision

Case # ZA-878
Permit # 04-3301

Variance Request: For a variance from the minimum setback from 40 feet to 10 feet for a shed at 7121 Shalin Drive, Marriottsville, MD in Election District 05 by Bruce J. Fried.

Basis for Variance: § 223-66 and § 223-181 of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Approved, with conditions.

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 be 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 are pertinent circumstances regarding restrictions to this lot which must be resolved before the grant of a variance can be effective, most

significantly the Minimum Building Line (MBL) which encompasses the area of the proposed shed location. Additionally, the plat is encumbered with a road realignment for Ridge Road. The applicant has successfully resolved the road realignment issue by gaining a waiver from the Bureau of Permits and Inspections.
Regarding the Minimum Building Line, the applicant is directed to resolve that matter with the Director of the Department of Planning, from whom I have received verbal acknowledgement that the MBL waiver will also be granted; however, the applicant must satisfy any requirements from the Department of Planning regarding a possible plat amendment.

The applicant was persuasive in his testimony that a practical hardship would exist if the shed had to be located elsewhere on the property or if a free standing shed were not permitted. Situating the shed in the proposed location would be typical to the neighborhood and any associated impacts to neighbors would be negligible. There were no protestants to the variance.

14 December 2004

Neil M. Ridgely
Zoning Administrator

Per Section 223-182 of 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.