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

Notice of Decision

Case # ZA-885
Permit # 05-0006

Variance Request: For a variance from the minimum yard setback from 40 feet to 30 feet for a garage addition to the residence at 626 Francis Scott Key Highway, Keymar, MD in Election District 10 by John Fieseler.

Basis for Variance: § 223-75 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 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 property is quite unique in that it is adjacent to Francis Scott Key Highway and while the residence and structures are set well back from the highway, the SHA has actually kept a extremely wide right-of way from a previous road alignment, leaving the Fieselers very little room to locate the garage. Additionally, since the property is on a state controlled road it is unlikely that an additional access point would be allowed; thus requiring the property owner to utilize the existing entry point for the garage. The 18th century residence and out buildings will be complimented by the new project. There were no Protestants to the variance.

7 February 2005

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.