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

Notice of Decision

Case # ZA-889
Permit # 05-0230

Variance Request: For a variance from the minimum setback from 50 feet to 27 feet for a detached garage at the residence at 5407 Buffalo Road, Mt. Airy, MD in Election District 13 by Craig Punte.

Basis for Variance: § 223-181 and 223-75 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.

The applicant was persuasive in his testimony that a practical hardship would exist if the garage were not permitted. The topography of the lot is quite severe and existing parking area is located where the new garage is proposed. A field review of the site verified that it would pose a practical impossibility to locate the garage elsewhere on the property. There were no Protestants to the variance.

14 March 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 Boardof 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.