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

Notice of Decision

Case # ZA-905
Permit # 05-1265

Variance Request: For a variance from the minimum setback from 20 feet to 10 feet for an attached accessory dwelling at 1738 Arrington Road, Marriottsville, MD in Election District 05 by Marjorie H. Livesay.

Basis for Variance: § 223-181 and § 223-35 G 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 existing residence is approximately 1,100 square ft. in size. Mrs. Livesay is a senior citizen with serious ailments and wishes her Son and his family to move in with her. For reasons explained by her Son at the hearing, it is best that they consolidate their family at this time with him moving into the mother's residence rather than his Mother moving to his home. The proposed addition is less than 800 square feet and will be handicap accessible for his Mother's use. The residence well is located to the front of the home and the septic system / reserve is at the left, rear of the property, thus necessitating the location of the new addition. It would pose a practical hardship to place the addition elsewhere on the lot. The circumstances surrounding the need for the addition are unique and the relatively small size of the existing home certainly make it practical for this attached accessory dwelling which will be resided in by the applicant. The size of the addition meets the requirements for an Accessory Use in the Conservation district. There were no neighbors present to protest the variance.

13 June 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.