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

Notice of Decision

Case # ZA-906
Permit # 05-0749

Variance Request: For a variance from the minimum setback from 25 feet to 20 feet for an addition to the residence at 1314 St. Hales Court, Westminster, MD in Election District 07 by Dale and Deborah Middleton.

Basis for Variance: § 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.

The existing residence is located in the Coventry subdivision on a 9,700 square foot lot; backing up to Ben-Ray Farm. There are similar additions throughout the neighborhood; however, the location and architecture are closely regulated by covenants of the community. Mr. Middleton cannot spend extended periods of time in direct sunlight so the addition will allow for enjoyment of the backyard area. Mr. Middleton's health conditions and the small size of the lot establish uniqueness as well as presenting a practical hardship if the variance were denied. Additionally, the covenants for the subdivision do closely regulate additions, much to the better for that community. 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.