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

Notice of Decision

Case # ZA-908
Permit # 05-0179

Variance Request: For a variance from the minimum side yard setback from 20 feet to 10 feet for a detached accessory building at 5566 Rhonda Road, Sykesville, MD in Election District 14 by Michael and Cathy Jones. Mr. & Mrs. Jones were represented by David Bowersox, Esq.

Basis for Variance: § 223-31, § 103-54 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.

Mr. David Bowersox, on behalf of the applicants, submitted a drawing of the lot, indicating thatit is quite narrow. He stated that 70% of the lot area is in a Forest Conservation Easement; that the only area for curtilage is in the immediate area of the residence. The proposed building is intended for storage of the Jones' antique cars and a brochure depicting an attractive barn-style metal building was submitted. A letter from Victor and Tammy Gehr, adjoining property owners, was submitted in support of the variance. The Forest Conservation easement certainly sustains the uniqueness test for this variance and a practical hardship would be encountered because there is virtually no other location on this narrow lot on which the building could be placed. There were no neighbors in attendance to protest approval of the variance. As stated at the hearing, no business use of the new building is permitted.

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.