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

Notice of Decision

Case # ZA-912
Permit # 05-0039

Variance Request: For a variance from the minimum setback from 50 feet to 45.2 feet on the East side and 43.1 feet on the West side for a new residence at 4077 Leese Farm Drive, Manchester, MD in District 06 by Robert R. Ensor.

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.

The lot is surrounded by family-owned properties. There is a forest conservation easement on the rear of the lot which tightly restricts locating the new house. Uniqueness is satisfied in that this is a small lot of 1 acre with a considerable conservation easement on it. A practical hardship would occur if this site were not utilized since so much of the lot cannot be used for building or curtilage. There were no Protestants to this variance present at the hearing.

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.