CARROLL COUNTY GOVERNMENT
225 N. Center Street
Westminster, Maryland 21157
410-386-2980 888-302-8978
FAX 410-876-9252
T.D.D. 410-848-5355

Office of Zoning Administration
Neil M. Ridgely
Zoning Administrator

Notice of Decision

Case # ZA-930
Permit # 05-1803

Variance Request: For a variance from the minimum side yard setback from 25 feet to 10 feet for an addition to the Safe Haven facility at 127 Stoner Avenue, Westminster, MD in Election District 07 by Carroll County Government.

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.

Attending: Jolene Sullivan, Director of Citizen Services, Stephen Mood, Director of Human Services, Holly Hutchins, Deputy Director of Human Services, Tom Rio, Bureau Chief of Construction Services, Brenda Witt, Timber Ridge Apartments, Greg Guenther, Carroll County Times.

The current Safe Haven facility is approximately 7,500 square feet in size. It houses up to 12 homeless men in one area year-round; with up to 25 residents during cold weather. A community social room is used to house the additional cold weather residents which causes a considerable disruption to normal daily activities for the regular residents. A 1,900 square foot addition is needed for the cold weather residents as well as use by BERC and DLLR for training the residents in job skills. Tom Rio, testifying for the Bureau of Building Services stated that putting the addition to the rear would cause a significant grading cut into the embankment and create the need for a very tall, expensive retaining wall. There is a recently relocated water line to the left side of the building which would have to be relocated again, if even possible, were the addition placed there. The natural gas line serves the building through the front and there would be a significant loss of parking spaces if the addition were placed there. Those 17 parking spaces are needed by the Safe Haven facility and the adjoining Westminster Senior Center.

Ms. Brenda Witt, manager of the neighboring senior apartment complex, attended the hearing for informational purposes and stated that there was no objection to the variance request by the apartment complex management.

The applicant has satisfied both tenets for a variance. A practical hardship would be imposed on the Safe Haven mission if the variance was denied and shelter for homeless individuals may not meet demand in the cold weather season without the addition. The property is unique in that it already serves a homeless population and an addition to the building is constrained by infrastructure and topography.

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.