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

Notice of Decision

Case # ZA-974
Permit # 05-3818

Variance Request: For a variance from the required minimum setback of 40 feet to 25 feet for a garage at 425 North Tannery Road, Westminster, MD in Election District07 by Hugh Phillips, Jr.

Basis for Variance: § 223-66 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 be 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 applicant explained that he wishes to construct a 28 by 32 ft. garage at his residence. Although his home actually faces Brehm Road, the legal "front" of the home is actually on the side of the home. There already is an attached garage and macadam driveway on the Tannery Road side of the house, making that the logical location fore the new garage. Locating a garage elsewhere is prevented by the well and septic system locations. There were no protestants to this variance present at the hearing.

23 December 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.