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

Notice of Decision

Case # ZA-976
Permit # 05-3817

Variance Request: For a variance from the required minimum front yard setback of 50 feet to 40 feet and from the rear yard setback of 50 feet to 12 ½ for a new residence on Hollenberry Road, Sykesville, MD in Election District 05 by Roberta Brown

Basis for Variance: § 223-177, §223-37 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 livingin 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.

Ms. Brown was accompanied by Mr. Randy Bechtel of BPR, Inc., surveyors and engineers. Mr. Bechtel explained that while the property is zoned "conservation" lots were created in 1962 which were much smaller than the typical 3 acre size in that zone. This lot is 6/10ths of an acre. There is a significant hardship imposed in attempting to meet the contemporary setback requirements as the lot depth is only 103 feet on one end and 90 feet deep on the other. The setbacksactually overlap one another and preclude the building of a house on the site altogether. The property is on public water but requires a septic system on the lot. There were no protestants to this variance present at the hearing. The Zoning Administrator is familiar with the Hollenberry Road location due to another recent case involving similar but not so severe a hardship as this one. Relief from the setbacks is the only way to allow practical use of the lot.

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.