Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT: Raymond G. & Jerrie Ann Keys
2705 Mystic Woods Court
Mt. Airy, Maryland 21771-8809

REQUEST: A variance from the required
minimum side yard setback of 20 Ft.
to 18 Ft. for the construction of
an attached garage.

LOCATION: 2705 Mystic Woods Court
Mt. Airy, MD 21771

APPLICABLE REGULATIONS: Code of Public Local Laws and
Ordinances, Chapters 223-66 and
223-181
May 7, 2002

HEARING HELD:

FINDINGS & CONCLUSIONS

Based on the testimony and evidence presented at the hearing, the
variance is granted.

Facts, which support the request for relief from the strict terms of
the Ordinance, in this case, a reduction of the minimum required side yard
setback of 20 feet to 18 feet for the construction of an attached garage
to an existing dwelling, are as follows:

The Applicants did not obtain a building permit, since the original
plans were for a patio, which grew into a carport and then into a garage.
The Applicants had no idea that a garage and a carport were two different
scenarios regarding the zoning ordinance. Variances cannot be granted due
to an error made by an Applicant; however, in order to comply with the
zoning ordinance the Applicants would need to tear down the structure,
which would create undue hardship and practical difficulty. This
construction did not impede the flow of water into the easement.

For the record, it was noted that two neighbors sent letters in support
of this request. No neighbors were present at the hearing opposing the
Applicant’s request; therefore, the granting of this variance should have
no adverse effect on any adjoining property owners.

This approval is valid for one year from the date of a Zoning
Certificate.
NOTE:

Appeals of decision made pursuant to Chapter 223-183 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Chapter 223-188 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-183 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

March 17, 2003

DATE

GAYLE FRITZ
ACTING ZONING ADMINISTRATOR'S DESIGNEE

cc: Zoning Enforcement