Case 2A-690

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT: Geoffrey E. & Kathy E. Healy
2955 Hoffman Mill Road
Hampstead, Maryland 21074

REQUEST: A variance from the required
minimum setback of 37.5 Ft. to 22
Ft. for a deck around a portion of
an existing in-ground swimming
pool.

LOCATION: 2955 Hoffman Mill Road
Hampstead, MD 21074

APPLICABLE REGULATIONS: Code of Public Local Laws and
Ordinances, Chapters 223-179 and
223-181

HEARING HELD: October 1, 2002

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 setback of
37.5 Ft. to 22 Ft. for a deck around a portion of an existing in-ground
swimming pool, are as follows:

The Applicants’ home was positioned on the lot according to the perc
test. The home could not be positioned any further forward on the lot due
to the topography of the lot. As a result, the house was built in a tilted
position instead of a straight line, which creates the inability to comply
with the 37.5 Ft. setback under the Zoning Ordinance. The in-ground pool
is located to the rear of the property. The septic system is located on
one side of the swimming pool and the well is located on the other side.
In order to access the pool from the house, the Applicants are proposing to
construct a deck around the pool. The hill creates the need to attach the
deck all of the way up to the house, since there is no accessibility to the
pool because of the drop off. A rented cornfield borders the rear of the
Applicants’ property.

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.

October 10, 2003

DATE

GAYLE FRITZ

ACTING ZONING ADMINISTRATOR'S DESIGNEE

cc: Zoning Enforcement