

**Tax Map/Block/Parcel  
No. 46-21&22-1460**

**Case 5429**

**OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND**

**APPLICANT:** Christa Scotto  
849 Wisteria Drive  
Westminster, Maryland 21157

**ATTORNEY:** n/a

**REQUEST:** Variance from the required side yard setback of 12 ft. to 8 ft. and from the required accessory building setback of 6 ft. to 5 ft. from the principal building for an existing shed.

**LOCATION:** The site is located at 849 Wisteria Drive, Westminster, MD 21157, on property zoned "R-20,000" Residential District in Election District 7.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-82 and 223-178 B

**HEARING HELD:** July 24, 2008

**FINDINGS AND CONCLUSION**

On July 24, 2008, the Board of Zoning Appeals (the Board) convened to hear a variance request from the required side yard setback of 12 ft. to 8 ft. and from the required accessory building setback of 6 ft. to 5 ft. from the principal building for an existing shed. Based on the testimony and evidence presented, the Board made the following Findings and Conclusion:

The Applicant has resided at this property for 20 years. It includes a house and 1 acre (+-) of land. The Applicant has erected a 12' x 30' shed on the property in a location which infringes on the side yard setback and is 1 foot too close to her house.

The residence is served by an extensive septic system which renders most of the rear yard unusable for the placement of a shed. In addition, there is an above ground pool in the rear of the property. Alternate locations on the property for the shed would necessitate the construction of retaining walls, some of which would be impermissibly high. The purpose of the shed is to

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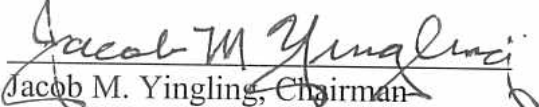
house her son's possession while he is away on military duty. He is to return in 2011. Other houses in the neighborhood have sheds.

The Board found that due to the shape of the lot, the location of the pool, the elaborate septic system, and the hilly terrain of the property, there are no other locations on the property where the shed can be located absent a variance. In this instance, a strict application of the setback provisions would result in unnecessary hardship and practical difficulty. Accordingly, the requested variances were granted.

Based on the testimony of the Applicant, this use is temporary, and the variance will expire December 31, 2011. This period may be extended by the Board upon a showing of good cause.

\_\_\_\_\_  
Date

8/20/08

  
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Jacob M. Yingling, Chairman