

**Tax Map/Block/Parcel**  
**No. 39-14-776**  
**Case 5565**

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

**APPLICANT:** James Turner  
222 Garden Way  
Westminster, Maryland 21157

**ATTORNEY:** N/A

**REQUEST:** An application for a variance for a carport or garage<sup>1</sup> on an existing concrete pad from the required 12 ft. side yard setback to 2 ft. in front and 5 ft. in the rear.

**LOCATION:** The site is located at 222 Garden Way, Westminster, MD 21157, on property zoned “R-10,000” Residential District in Election District 7.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-85 and 223-181 C

**HEARING HELD:** September 28, 2010

**FINDINGS AND CONCLUSION**

On September 28, 2010, the Board of Zoning Appeals (the Board) convened to hear the request for a variance for a carport or garage from the required 12 ft. side yard setback to 2 ft. in front and 5 ft. in the rear. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant resides on a ¼ acre in the “R-10,000” Residential District. He wishes to add an 18 ft. x 18 ft. garage to the house, which will be attached to an existing 2 car garage. The property is served by public water and sewer. The lot is a triangular shape. There is a hot tub in the rear yard. There are no other feasible locations for a garage on the property.

The Board found that due to the small size of the lot and its unusual “pie slice” shape, and the placement of the house, there is no other spot on the property where the attached garage could be located. A strict application of the side yard and rear yard setbacks would result in

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<sup>1</sup> Request was orally amended at the hearing by the Applicant to include a garage.

**OFFICIAL DECISION**

**Case 5565**

**Page 2**

practical difficulty and unnecessary hardship. Accordingly, the requested variances were granted.

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

20 October 2010

Date

Howard B. Kramer

Howard B. Kramer, Chairman

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***Pursuant to Section 223-192C of the County Code, this approval will become void unless a building permit conforming to the plans is obtained within 6 months from the date of this decision. For more information on the building permit process, please contact the Bureau of Permits and Inspections at (410) 386-2674.***

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