

Case ZA-458

**Official Decision  
Zoning Administrator  
Carroll County, Maryland**

**APPLICANT:** Kevin Dodd  
1325 Nicodemus Road  
New Windsor, MD 21776

**REQUEST:** A variance reducing the minimum  
side yard requirement from 50 feet  
to about 25 feet for a proposed  
dwelling

**LOCATION:** 797 Mountain View Drive  
Westminster, MD 21157, E.D.7

**APPLICABLE REGULATIONS:** Article 5, Section 5.5, Article 15,  
Section 15.5; Zoning Ordinance 1E

**HEARING HELD:** June 2, 1999

**FINDINGS & CONCLUSIONS**

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

Facts which support the request for relief from the strict terms of the Ordinance, in this case, a reduction of the minimum side yard requirement for a dwelling, are as follows:

Practical difficulty or undue hardship not the action of the applicant is required to be proven for a variance from the strict terms of the ordinance to be granted.

In this case, the applicant was unable to show a viable defense of practical difficulty or undue hardship. This is an odd shaped lot yet the proposed dwelling can fit in the buildable area for residence (BAFR) and meet setback requirements.

By turning the placement of the house within the building envelope access and full use of the property can still be accomplished.

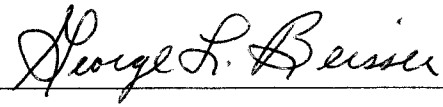
**NOTE:**

Appeals of decisions made pursuant to Section 15.5 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 Section 17.4 of the Carroll County Zoning Ordinance 1E.

A decision of the Zoning Administrator made pursuant to Section 15.5 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

June 3, 1999

Date



George L. Beisser  
Zoning Administrator

cc: Zoning Enforcement

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