

**Tax Map/Block/Parcel
No. 73-16-301**

Case 5448

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

APPLICANT: Rustem Malaj
Mary B. McClure-Carter
6385 Kyle Drive
Sykesville, Maryland 21784

ATTORNEY: N/A

REQUEST: A variance from the required side yard setback of 12 ft. to 5 ft. for the construction of a one-car garage attached to the existing dwelling.

LOCATION: The site is located at 6385 Kyle Drive, Sykesville, MD 21784, on property zoned "R-10,000" Residential District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Section 223-89

HEARING HELD: December 3, 2008

FINDINGS AND CONCLUSION

On December 3, 2008, the Board of Zoning Appeals (the Board) convened to hear a variance request from the required side yard setback of 12 ft. to 5 ft. for the construction of a one-car garage attached to the existing dwelling. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicants purchased this ½ acre lot in 2007. The property is improved with a residence which has no garage. The lot has an unusual "pie slice shape", and is narrow in the front and widens at the rear.

The Applicants are proposing to build a 15' x 25' garage on the property in a location which requires a side yard variance to 5 feet. No trees or bushes would need to be removed. There is no other feasible location for a garage on the property due to slopes, and any other location would require a variance.

OFFICIAL DECISION

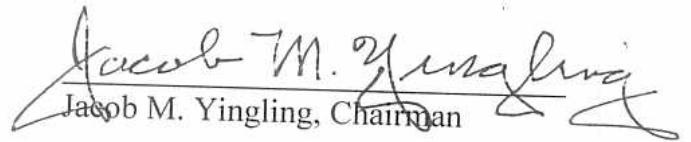
Case 5448

Page 2

Based on the above, the Board found that there are no other possible locations on the lot where the garage could be built, and that this situation was not created by the Applicant. In addition, the Board found that, under these circumstances, a strict application of the side yard setback would result in undue hardship and practical difficulty. As a result, the requested variance was granted.

Date

1/6/09


Jacob M. Yingling, Chairman