

**Tax Map/Block/Parcel
No. 45-12-121**

Case 5515

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

APPLICANT: Vladimir Tzenov
129 City View Avenue
Westminster, Maryland 21157

ATTORNEY: n/a

REQUEST: A variance from the required minimum side 5 ft. setback to the property line for a shed*.

LOCATION: The site is located at 129 City View Avenue, Westminster, on property zoned "R-10,000" Residential District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Section 223-178 (B)

HEARING HELD: September 23, & October 27, 2009

FINDINGS AND CONCLUSION

On September 23, & October 27, 2009, the Board of Zoning Appeals (the Board) convened to hear a request for a variance from the required minimum side 5 ft. setback to the property line for a shed for a shed. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant has been constructing a 12' x 16' shed on his ¼ acre property without meeting the setback. He moved in to the residence in 2006. The lot is rectangular shaped and ¼ acre. The Board continued the first hearing to enable the Applicant to obtain a survey to determine how much of a variance was needed. Unfortunately for the Applicant, the survey revealed that the unfinished shed was actually on a portion of the neighboring lot.

The Board found that due to the small size and shape of the lot, a strict application of the setback in this instance would result in practical difficulty and undue hardship. However, the Applicant was required to relocate the shed on to his own property and a variance up to the property line was granted. The property line must be clearly delineated by surveyor stakes or pins before final inspection by necessary county personnel to determine compliance with this decision.

*Request was amended at the 10/27/09 hearing from 6 inches to the side property line to a variance to the side property line.

OFFICIAL DECISION

Case 5515

Page 2

11/18/09
Date

Charles H. Wheatley, III
Charles H. Wheatley, III Chair