

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

APPLICANT: Kimberly & Kevin Muniz
Nancy & Gary Spencer
1980 Turnberry Court
Finksburg, MD 21048

ATTORNEY: N/A

REQUEST: A request for a variance from the 40 ft. building restriction line (BRL) to 1 ft. for the construction of a detached 2-1/2 car garage.

LOCATION: The site is located at 1980 Turnberry Court, Finksburg, MD 21048, on property zoned "C" Conservation District in Election District 4.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-37

HEARING HELD: September 25, 2013

FINDINGS AND CONCLUSION

On September 25, 2013, the Board of Zoning Appeals (the Board) convened to hear the request for a variance from the 40 ft. building restriction line (BRL) to 1 ft. for the construction of a detached 2-1/2 car garage. Based on the testimony and evidence presented, the Board made the following findings and conclusions.


Kevin Muniz testified as the applicant at the hearing. He owns 2.08 acres of land. He moved into the house at 1980 Turnberry Court on July 1, 2013. The house was originally built in 2000 or 2001. He is going to have his mother and father in law move into the basement area of the house. Therefore, he will be in need of more garage space. That is the reason for his request of a two and one half car garage. The structure will architecturally match the exterior of the existing home. He contacted his neighbors and no one had a problem with the added garage. He both spoke to neighbors and showed drawings to some neighbors. However, one house behind his has a for sale sign on the property. Most of the people in the neighborhood have at least two acre parcels. A factor in the location of the garage is the present septic area, a below ground 1000 gallon propane tank, a well, and drain fields. The well is 100 to 120 feet behind his house. The experts that he had design the garage agreed that the placement at the proposed location was needed. The Board found that he had demonstrated a practical difficulty and/or unreasonable hardship to place the garage elsewhere on the property. In his efforts to check with the home owners association, he did not believe that it would have a problem with his request.

The Board is convinced that authorization of the requested variance was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered

regarding variances in the zoning ordinance, and will not unduly affect residents of adjoining properties, the values of those properties, or public interests.

9-30-13

Date



Harvey Tegeler, Chairman

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.

Pursuant to Section 223-192C of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

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