

Tax Map/Block/Parcel
No. 65-12-71
Case 6018

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Christopher Fry
4827 Buffalo Road
Mt. Airy, MD 21771

ATTORNEY: N/A

REQUEST: A request for a variance of 0 to 5 feet from the neighboring property in order to construct a 24' X 40' detached garage.

LOCATION: The site is located at 4827 Buffalo Road, Mount Airy, Maryland, on property zoned "A" Agricultural District in Election District 9.

BASIS: Code of Public Local Laws and Ordinances, Section 158.070(H)(1).

HEARING HELD: May 30, 2017

FINDINGS AND CONCLUSION

On May 30, 2017, the Board of Zoning Appeals (the Board) convened to hear the request for a variance of 0 to 5 feet from the neighboring property in order to construct a 24' X 40' detached garage. Based on the testimony and evidence presented, the Board made the following findings and conclusions.


The applicant testified that he was a state police officer. He has owned the property for approximately five years. There is fencing on his property for horses and dogs. He also has a propane tank on the property. There is an existing crematory on the property as approved by the Board in case 5751. The garage would be less than ten feet from the crematory. The new garage would also include some office space. Reasons for the variances include the lots are not square; the actual lot size; his property sits at a diagonal; the septic system is on the north side of the house; he wanted to utilize the existing driveway and not create a new road surface; and there is a new electric line running to the crematory. A small portion of the new garage would be over or close to the electric line.

A May 12, 2017 memorandum from Lynda Eisenberg, Chief, Bureau of Comprehensive Planning and Clare Stewart, Planning Technician, states that the subject property has a land use designation of agricultural. The staff finding is that this request is consistent with the 2014 Carroll County Master Plan and would not have an adverse effect on the current use of the property or its environs.

The Board found practical difficulty and unreasonable hardship based on these factors: the existing fencing, the location of the propane tank, the location of the electric line by BGE, and the desire to utilize the existing driveway. The configuration of the lot was not of the applicant's making.

The Board was convinced that authorization of the request with regard to a 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 would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. The Board approved the variance requested by the applicant.

June 1, 2017
Date


Melvin E. Baile, Jr., 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 Land Use Article, Section 4-401 of the Annotated Code of Maryland.

Pursuant to Section 158.133 (H)(3) 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.