

Tax Map/Block/Parcel
No. 14-16-214

Case 5092

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

APPLICANT: Jerry L. Rill, Sr.
4246 Hanover Pike
Manchester, MD 21102

REQUEST: A variance from the required 5 ft. side yard setback to 1-1/2 ft. and from the required 5 ft. rear yard setback to zero feet for the construction of a detached garage to replace an existing building.

LOCATION: The site is located at 4246 Hanover Pike, Manchester, on property zoned "B-L" Local Business District in Election District 6.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-186 A (3) and 223-105

HEARING HELD: June 22, 2005

FINDINGS AND CONCLUSION

On June 22, 2005, the Board of Zoning Appeals (the Board) convened to hear a request for a variance from the required 5 ft. side yard setback to 1-1/2 ft. and from the required 5 ft. rear yard setback to zero feet for the construction of a detached garage to replace an existing building. The Board made the following findings and conclusion:

The Applicant wishes to replace an existing outbuilding on his residential yard with a 24 ft. x 40 ft. pole barn building. The lot size is nonconforming, and was created prior to the adoption of zoning in the County. The existing outbuilding is non-conforming with regard to the applicable setbacks. The new building would require a variance from the required side yard setback from 5 feet to 1-1/2 feet and from the required 5ft. rear setback from 5 ft. to zero ft.

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The Board finds that the use is nonconforming and the variances are minimal, such that denial of the request would result in unnecessary hardship. The small lot size severely limits available locations. Accordingly the variances are granted. The approval is conditioned upon the request that the new building may not be used as a residence or business.

Date 7/20/05


Jacob M. Yingling, Chairman