

Tax Map/Block/Parcel
No. 58-12-91

Case 5443

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Christopher Gauss
2514 Dobos Drive
Finksburg, Maryland 21048

ATTORNEY: n/a

REQUEST: Variance from the required (minimum building line) 40 ft. front yard setback to 5 ft. and from the required 20 ft. side yard setback to 10 ft. for the construction of a detached two-car garage.

LOCATION: The site is located at 2514 Dobos Drive, Finksburg, MD 21048, on property zoned "R-40,000" Residential District in Election District 4.

BASIS: Code of Public Local Laws and Ordinances, Section 223-66

HEARING HELD: October 28, 2008

FINDINGS AND CONCLUSION

On October 28, 2008, the Board of Zoning Appeals (the Board) convened to hear a variance request from the required (minimum building line) 40 ft. front yard setback to 5 ft. and from the required 20 ft. side yard setback of 10 ft. for the construction of a detached two-car garage. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant owns 1.25 acres in the R-40,000 zone. The property is improved with a residence. The Applicant wishes to erect a detached 24' x 28' one story 2-car garage on the property. The lot has a very unusual shape, with a septic area in the front yard and the well in the rear yard. The house is located on the lot in a position that makes it necessary to encroach upon the side yard with any additional building. The proposed location for the garage is the only logical and feasible spot on the property for such a structure.

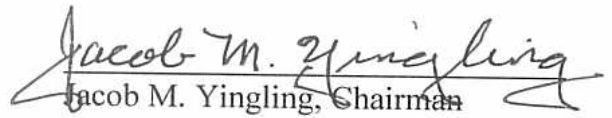
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Based upon the above, the Board found that due to the peculiar shape of the property, and the placement of the house on the lot, there was no other location on the property where the garage could be feasibly located absent a variance. Furthermore, this condition was not the result of any action taken by the Applicant. Accordingly, the requested variances were granted.

11/19/08
Date


Jacob M. Yingling, Chairman