

**MINUTES
BOARD OF ZONING APPEALS
CASE A-230**

Mrs. Vickie Watts, Chair of the Board, called the hearing to order at 7:00 p.m. Board Members present were Mrs. Vickie Watts and Mr. Michael Joseck. Board Member Ms. Tracy McCoy was absent. Staff member present was Jim Roark, Assistant Zoning Administrator.

Guests present were Ed Barber, Victoria Isaac, Ken Wright and Mike Illiano.

CASE A-230

On August 24, 2021, the Board of Zoning Appeals heard testimony and received evidence concerning Case A-230, a request by Illiano Properties, LLC for a variance reducing the required rear yard set back at 1130 S. Main Street.

The Board heard a statement from the Assistant Zoning Administrator regarding the details of the case. Mr. Roark stated that the owner of the property had a 40' x 30' pole barn constructed at the rear of the property and that the size of the building and the side yard setbacks all conform to Town Code. However, the required rear yard setback is 5 feet and the northern corner of the pole barn is 1.4 feet off the property line. Mr. Roark also informed the Board that the rear of 1130 S. Main Street abuts a small vacant lot which is zoned R-7,500 Residential. The statement also conveyed that Price Wagoner, Carroll County's Department of Planning liaison to the Town of Hampstead, had reviewed the case and did not have any objections to the variance reducing the rear yard setback. Lastly, the statement explained that should the Board of Zoning Appeals grant the variance reducing the required rear yard set back at 1130 S. Main Street, the plan would have to be reviewed and approved by the Hampstead Planning and Zoning Commission.

The Appellant, Mike Illiano of Illiano Properties, in his presentation explained that they had put the building up to help with storage on the property. Mr. Illiano also explained that he thought the property was zoned Business Local and that under BL zoning there is no setback required. He stated that he was not aware the property was Residential Business zoning and that the setbacks were different in residential districts.

There were no Protestants.

During Public Comment, Mr. Ed Barber spoke on behalf of the appellant. Mr. Barber stated that he was a tenant of Mr. Illiano's and lived at 1130 S. Main Street. Mr. Barber stated that he had no objection to the pole barn and that he respected Mr. Illiano and found him to be a pillar of the community.

No rebuttals were required.

The Board deliberated on the case. Mrs. Watts initiated discussion and stated that she has seen the property and the pole barn and that it looked neat and clean and would serve the properties storage needs. Mrs. Watts also stated that it would be nice if people would get the Town's approval before doing their projects. Ms. Joseck stated he was in agreement with Mrs. Watts. There was no further discussion.

Mr. Joseck made **a motion to grant the request by Illiano Properties for a variance reducing the rear yard setback at 1130 S. Main Street.** Ms. Watts seconded the motion. The motion passed with two votes for, no votes against, and no abstentions.

Ms. Watts made **a motion to adjourn the hearing.** Mr. Joseck seconded the motion. The motion passed with two votes for, no votes against and no abstentions.

Submitted by:

Approved by:

Jim Roark
Assistant Zoning Administrator

Vickie Watts
Chair