

**MINUTES
BOARD OF ZONING APPEALS
CASE A-236**

Mrs. Vickie Watts, Chair of the Board, called the hearing to order at 7:01 p.m. The following Board Members were present: Mrs. Vickie Watts, Ms. Tracy McCoy, and Mr. Michael Joseck. Mrs. Marlene Duff, Alternate Board Member, was also present. Staff members present were: Zoning Administrator Jim Roark, Assistant Zoning Administrator Elizabeth Dietrich, Town Attorney Michelle Ostrander, and Police Officer Bryan Emery.

Guests present: Douglas Hinkle

CASE A-236

On September 17, 2024, the Board of Zoning Appeals heard testimony and received evidence concerning Case A-236, a request by Douglas and Christine Hinkle for a variance to construct a detached garage in the side yard of their property in a residential zoning district at 3825 Eagle Ridge Court.

Mrs. Dietrich read the Written Record of Case-236. An application for a Board of Zoning Appeals Hearing from Douglas and Christine Hinkle was received by the Town of Hampstead on August 6, 2024. A date of September 17th was set for the hearing. Notification letters to adjacent and adjoining neighbors were sent on August 26th, and a Public Notice announcing the hearing was published in the Carroll County Times on August 27th and September 3rd. A sign publicizing the hearing was posted on the proposed site on September 3rd. No written comment was received by the Town to be included in the written record of Case A-236. Mrs. Dietrich concluded the Written Record.

Mrs. Watts invited the applicant to submit any additional documents to be into the Official Record of the Hearing. Mr. Hinkle submitted some aerials and pictures of the property to the Board. There were no objections, and the documents were added to the Official Record of the Hearing.

The Board heard a statement from the Zoning Administrator, Mr. Jim Roark. Mr. Roark explained the details of the case. The Hampstead Town Code has zoning regulations for accessory buildings and structures. In residential zoning districts, Town Code requires detached garages be built in rear yards unless a variance is granted. As is the case in many properties in the Oakmont Green development the Hinkles are limited in available buildable land by septic fields and a drywell. The Hinkles would like to build a garage on the west side of their property at the end of the existing driveway outside of the area of the septic drainage pipes and drywell towards the rear/east of their property. The garage shall be located at least 10 feet from the west property line as stipulated by Town Code. Mr. Roark said that Town Staff has received no feedback from neighbors in support of or against the proposal, and that if this variance is approved, the installation will require a building permit from Carroll County.

The Appellants' presentation was given by Mr. Douglas Hinkle. Mr. Hinkle discussed the submitted photographs of his property and aerials with the Board. He discussed topography maps and satellite views of the site and explained the placement of the proposed garage at the end of the existing garage. Mrs. Watts asked specific questions about the photographs and inquired as to

why the garage was not going to be attached to the house. Mr. Hinkle explained that there is a septic tank and drainage pipes near the house that would be in the way to the south/southeast of the house. The Board continued to discuss placement of the garage with respect to the septic system and the house and driveway. Mr. Roark noted that if the variance is approved then an application will be submitted to Carroll County for a building permit. The Carroll County Bureau of Utilities will review the application and confirm that any setbacks from the septic system will be met. Mr. Hinkle said that he thought the setback from the septic system was approximately 50 feet. Mr. Roark noted that he thought that should be sufficient. Mrs. Watts inquired as to why the house was so close to the septic, and Mrs. Ostrander explained that the septic has to be close to the house because it's attached to it. The Board continues to view the photos and discuss placement of the driveway, shed, septic, and neighboring properties. It was brought up that there is an existing garage two car garage attached to the house, and Mrs. Watts expressed concern as to why the applicant would need a second, detached garage. Mr. Hinkle explained is in the process of retiring and intends to use the new garage as a hobby shop. There were no further questions by the Board.

Mrs. Watts called for anyone not in support of the variance to come forward to give their testimony. There was no public comment.

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There was no need for applicant rebuttal.

The Board then began deliberations in the case. Mrs. Watts expressed concern that the application was for a garage for a property that already has a two-car garage. Mrs. Ostrander explained that the application was for an accessory building, and that regardless of use, it is permitted provided it meets setbacks. Mr. Joseck added that it is just an additional building that is being added to the site which needs a variance for setbacks. Mrs. Ostrander said that regardless of whether or not the garage has a car in it, it is a garage and is allowed.

Mrs. Watts ended the deliberation.

Ms. McCoy made **a motion to approve the request by Douglas and Christine Hinkle for a variance to construct a detached garage in the side yard of their property in a residential zoning district at 3825 Eagle Ridge Court.** Mr. Joseck seconded the motion. The motion passed with three votes for, no votes against and no abstentions.

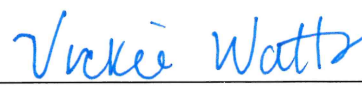
Mr. Joseck made **a motion to adjourn.** Ms. McCoy seconded the motion. The motion passed and the hearing was adjourned.

Submitted by:

Approved by:



Jim Roark
Zoning Administrator



Vickie Watts
Chair