



FREDERICK COUNTY BOARD OF APPEALS

December 18, 2025

TITLE: Landin Deutch – Applicant
Landin Deutch and Taryn Carroll – Owners

FILE NUMBER: B-25-29 B277550

REQUEST: Requesting a 4' variance from the 25' front yard setback requirement and a 3' variance from the 8' side yard setback requirement for Planned Unit Development (PUD) Zoning, in accordance with Sections 1-19-3.220 Variances and 1-19-6.100 Design Standards of the Frederick County Code, in order to construct an attached garage. The address of this property is 6754 W Lakeridge Road, New Market, MD 21774 (the "Property"), and is .231 Acres.

PROJECT INFORMATION:

ADDRESS/LOCATION: 6754 W Lakeridge Road, New Market, MD 21774
TAX MAP/PARCEL: Tax Map 069, Parcel 0109, Tax ID# 27538290
ZONE: (PUD) Planned Unit Development
REGION: Frederick
WATER/SEWER: W-1/S-1
COMP. PLAN/LAND USE: Low Density Residential

APPLICANT/REPRESENTATIVES:

APPLICANT: Landin Deutch¹
OWNER: Landin Deutch and Taryn Carroll
ENGINEER: N/A
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Michael Paone, Zoning Planner

RECOMMENDATION: Staff has no objection to the approval of a 4' variance from the 25' front yard setback requirement and a 3' variance from the 8' side yard setback requirement for Planned Unit Development (PUD) Zoning, in accordance with Sections 1-19-3.220 Variances and 1-19-6.100 Design Standards of the Frederick County Code, in order to construct an attached garage. The address of this property is 6754 W Lakeridge Road New Market, MD 21774 (the "Property"), and is .231 Acres.

Attachments:

Attachment #1: Plot Plan with Garage and Proposed Setbacks
Attachment #2: Variance Location
Attachment #3: Aerial Map
Attachment #4: Zoning Map
Attachment #5: Comprehensive Plan Map
Attachment #6: Environmental Features Map

¹ The term Applicants refers to both the Applicant and the Property Owner(s).

Note: All code references herein are to the Frederick County Code, unless otherwise specified.

Background

The required setbacks for this PUD zoned Property are front 25', side 8', and rear 25'. The Property is .231 acres in size. The Applicant is requesting a variance to reduce the front BRL from 25' to 21' and the side BRL from 8' to 5' to accommodate the construction of a 12' by 28' attached garage. The Applicant has provided all requested information including surveyor sealed plans showing the requested variances.

General Criteria – Variance

Under the provisions of Section 1-19-3.220(C) of the County Zoning Ordinance, the Board of Appeals shall not grant a variance unless and until a public hearing is held and all of the following criteria are met:

- A. The Board of Appeals may authorize a variance in height, lot area and yard regulations.

The Applicant is requesting a 4' variance from the 25' front yard setback requirement and a 3' variance from the 8' side yard setback requirement for Planned Unit Development (PUD) Zoning. (Attachments 1&2)

- B. An application for a variance shall be filed with the Board of Appeals only after refusal of zoning approval or an adverse determination has been issued by the Zoning Administrator.

The Applicant states that Frederick County Zoning Staff were not able to approve plans for an attached garage and therefore directed the Applicant to apply for a variance request.

- C. The Board of Appeals shall not grant a variance unless and until a public hearing is held and all the following criteria are met:

The BOA Hearing is scheduled for Thursday, December 18, 2025.

First, the Board of Appeals shall find that special conditions and circumstances exist which are unique to the land or structure involved and which are not applicable to other lands or structures in the same district.

The Applicant states that the front yard variance is necessary because the lot is uniquely constrained with a significant front-to-back slope and irregular geometry. These features severely limit buildable areas and access.

1. Upon making this finding the Board of Appeals shall also find that the following criteria are met:

- a. That the special conditions and circumstances do not result from the actions of the applicant; and

The Applicant states that due to the irregular shape of the lot, its significant slope, and lack of rear access, this is the only feasible location for the garage. Furthermore, the Applicant asserts that maintaining full BRLs would make the garage either nonfunctional or unsafe:

- b. The literal interpretation of the provisions of Chapter 1-19 of the Frederick County Code would result in unreasonable hardship and deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of Chapter 1-19 of the Frederick County Code; and

The Applicant states that due to the irregular shape of the lot, its significant slope, and lack of rear access, this is the only feasible location for the garage. Maintaining full BRLs would make the garage either nonfunctional or unsafe. The 8' side BRL

does not allow enough width for a standard garage. The 25' front BRL would place the structure's entrance over an existing structural trench, making the garage unusable. Moving the structure farther back would interfere with a large retaining wall, requiring additional engineering, introducing the risk of structural failure, and potentially impacting neighboring properties.

- c. That the granting the variance will not confer on the applicant any special privilege that is denied by Chapter 1-19 of the Frederick County Code to other lands or structures in the same district; and

The Applicant states that the granting of this variance will not confer any special privilege on this Property in that, having a 12' by 28' attached garage is common in the Lake Linganore community as well as other communities in Frederick County.

- d. That the granting of the variance will be in harmony with the general purpose and intent of Chapter 1-19 of the Frederick County Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The Applicant states the garage will not negatively impact neighbors, or the public, and will be in harmony with the neighborhood as many of the surrounding homes many of which had similar setbacks, also have garages. Site drawings that show the placement of the garage in relation to the current BRL's and trench are attached. (Attachments 1&2)

- D. In granting the variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with Chapter 1-19 of the Frederick County Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, is a violation of Chapter 1-19 of the Frederick County Code.

The Applicant understands this requirement and will comply with any conditions and safeguards imposed by the Board.

- E. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of Chapter 1-19 of the Frederick County Code in the zone involved, or any use expressly or by implication prohibited by the terms of Chapter 1-19 of the Frederick County Code in said zone.

The Applicant states that the attached garage is a permitted accessory use subject to a variance granted by the BOA and building permit approval.

- F. Except as specified in § [1-19-4.220\(C\)](#), the Board of Appeals shall not grant a variance to a nonconforming structure for the portion of structure determined by the Zoning Administrator to be nonconforming.

The Applicant states that they are not seeking a variance to a nonconforming structure or portion of a structure.

- G. A decision of the Board of Appeals granting a variance will be void 2 years from date of approval by the Board of Appeals unless the use is established, a building permit is issued, construction has begun, or final site development plan approval has been received in accordance with the terms of the decision. Upon written request submitted to the Zoning Administrator no later than 1 month prior to the expiration date and for good cause shown by the applicant, a 1-time extension may be granted by the Zoning Administrator for a period not to exceed 6 months.

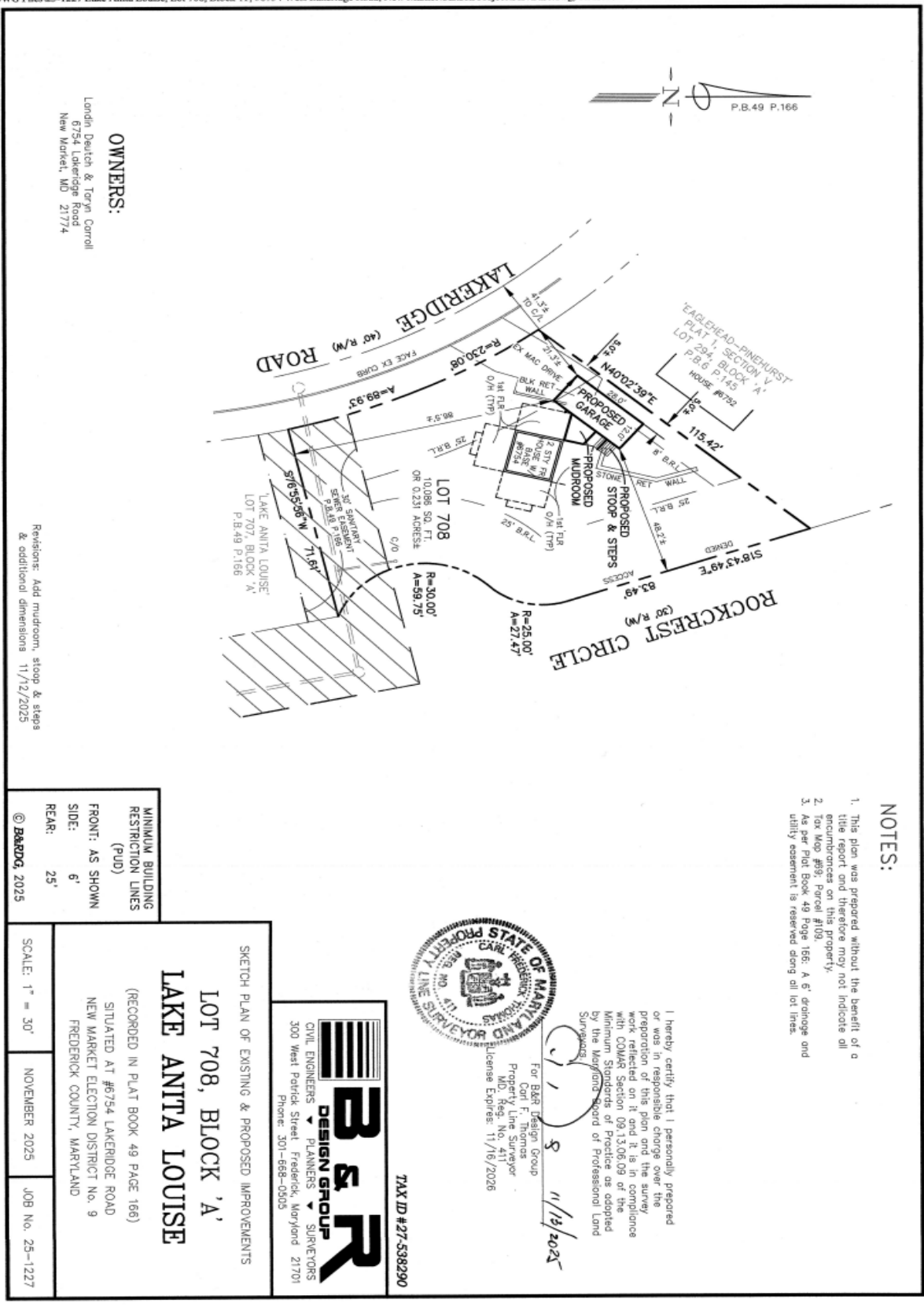
The Applicant understands this requirement.

Recommendation

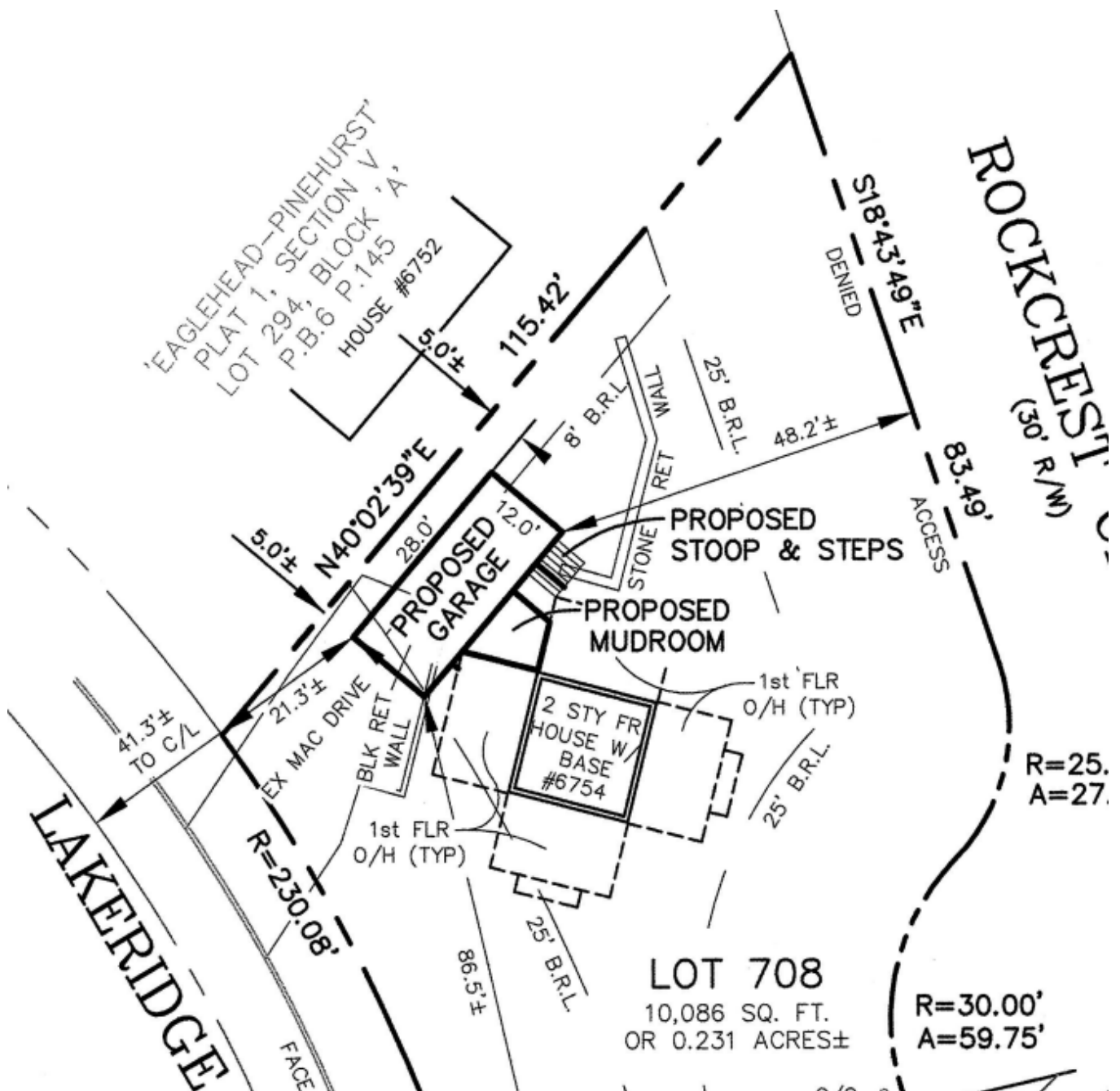
Based on the Application, and on the findings and conclusions set forth herein, staff has no objection to the approval of a 4' variance from the 25' front yard setback requirement and a 3' variance from the 8' side yard setback requirement for Planned Unit Development (PUD) Zoning, in accordance with Sections 1-19-3.220 Variances and 1-19-6.100 Design Standards of the Frederick County Code, in order to construct an attached garage.

1-19-3.220: A decision of the Board of Appeals granting a variance will be void 2 years from date of approval by the Board of Appeals unless the use is established, a building permit is issued, construction has begun, or final site development plan approval has been received in accordance with the terms of the decision. Upon written request submitted to the Zoning Administrator no later than 1 month prior to the expiration date and for good cause shown by the applicant, a 1-time extension may be granted by the Zoning Administrator for a period not to exceed 6 months.

Attachment #1: Plot Plan with Garage and Proposed Setbacks



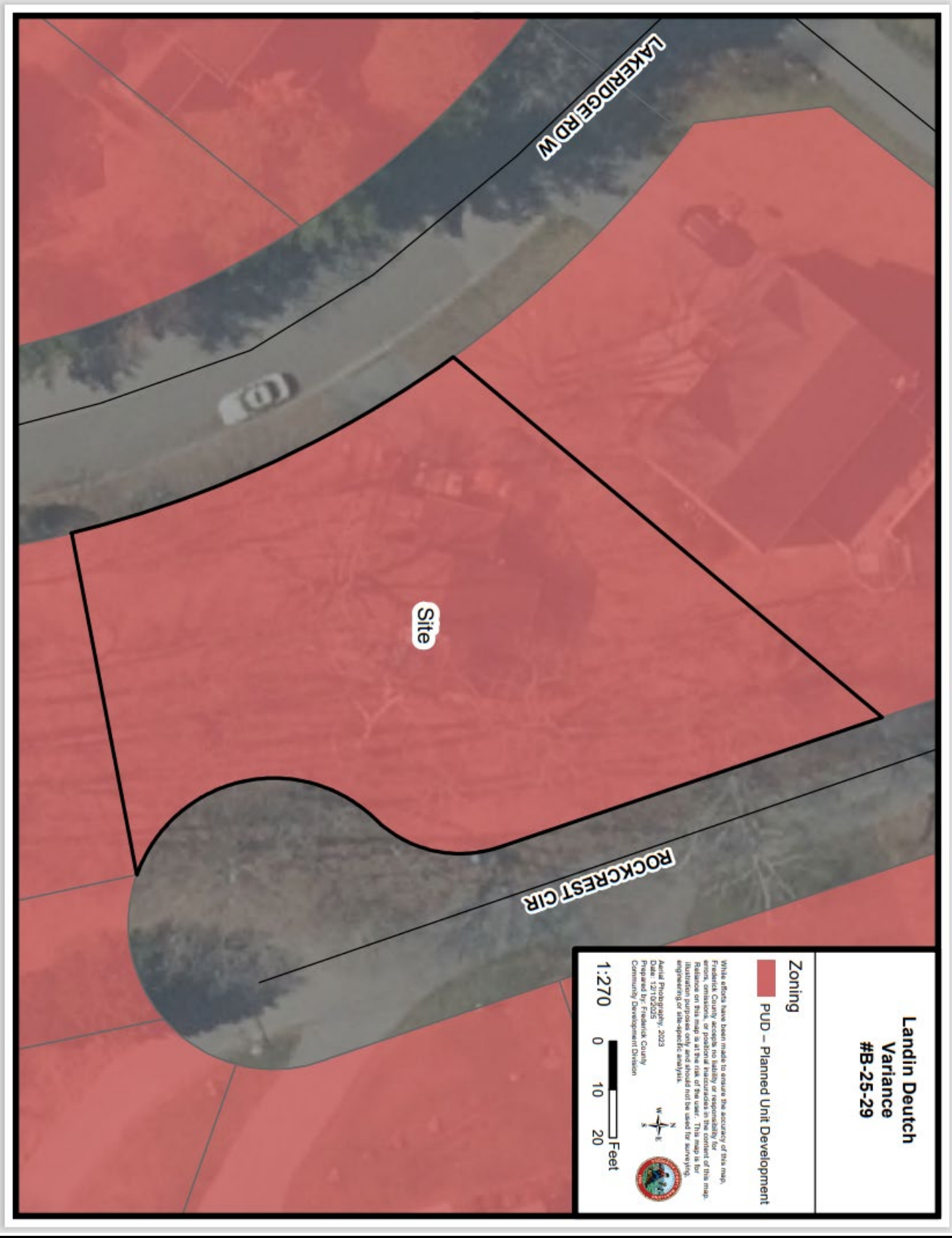
Attachment #2: Variance Location



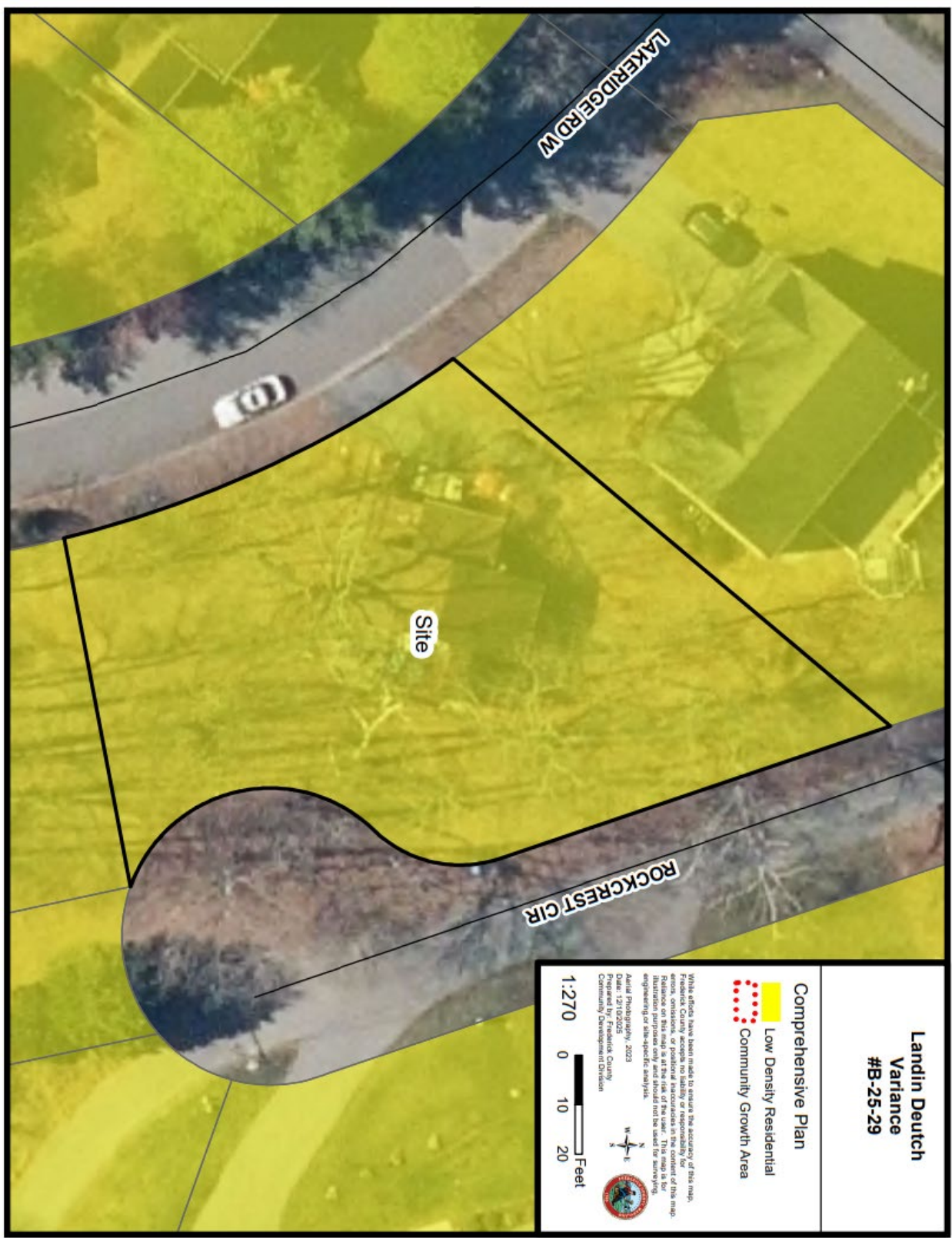
Attachment #3: Aerial Map



Attachment #4: Zoning Map



Attachment #5: Comprehensive Plan Map



Attachment #6: Environmental Features Map

