

**Tax Map/Block/Parcel
No. 46-20-1624**

**Building Permit/Zoning
Certificate No. 05-2058**

Case 5127

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

APPLICANT: Debra Rhode
1119 Canon Way
Westminster, MD 21157

ATTORNEY: N/A

REQUEST: A conditional use for a two-family dwelling.

LOCATION: The site is located at 118 Davis Road, Westminster, on property zoned "R-10,000" Residential District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-86 E, and 223-186 A (2)

HEARING HELD: September 29, 2005

FINDINGS AND CONCLUSION

On September 29, 2005, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a two-family dwelling. The Board made the following findings and conclusion:

In March 2005, Deborah Rhode purchased the dwelling located at 118 Davis Road, Westminster, Maryland. She does not reside there. This building is a single family dwelling with a finished basement. The home has 3 bedrooms upstairs and 2 bedrooms in the basement, with a kitchen and bathroom on each floor. The home is served by public water and private septic. Shortly after Ms. Rhode purchased the home, she discovered that the previous owner never obtained the required permits when he finished the basement, but has used the basement as a rental unit for approximately 5 years before selling the home.

Ms. Rhode wishes to have her sons and their families, 4 adults and 3 children, live in the home (1 family upstairs and 1 in the basement) until such time that they become financially stable.

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The Applicant's father testified that he contact the Carroll County Health Department and is in the process of upgrading the septic system. He also indicated that only minor issues remained in order to bring the basement up to Code.

The Board finds no adverse impacts from the proposed use and that the request conforms to the intent of the zone.

The approval is conditioned upon the following:

1. The septic system being approved by the Carroll County Health Department; and
2. The basement being brought into compliance with the building code and obtaining the required permits.

Oct 19, 2005

Date

David H. Roush

David H. Roush, Chairman