

Tax Map/Block/Parcel
No. 41-8-212

Building Permit/Zoning
Certificate No. 96-1183

Case 4099

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: J and O Rentals, Inc.
Sterling E. Jones
1518 Deer Park Road
Finksburg, Maryland 21048

REQUESTS: A conditional use for construction of a dwelling to be attached to the existing dwelling, creating a two-family dwelling, and a variance reducing the minimum required lot area of 15,000 square feet for a two-family dwelling to 12,000 square feet

LOCATION: 800 Houcksville Road in Election District 8

BASES: Article 8, Sections 8.2(e) and 8.5; Article 15, Section 15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: April 25, 1996

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record and in accordance with the state Open Meetings Act, the Board authorized the requests.

The pertinent findings determining the Board's decision include the facts that the site, as originally subdivided would have allowed establishment of a second single family dwelling on lots 4 and 5 of Singer Heights, Section B. A conditional use for a two-family dwelling was authorized on lot 2A September 14, 1994 in Case 3949 based on resubdivision of lots 1-5 and 55-58. Prior to the resubdivision, a single family dwelling could have been established on lots 4 and 5 in accordance with Section 15.1(b) of the zoning ordinance. However, due to dimensional limitations, the dwelling would have had to be relatively small and of less value than the existing dwelling. In resubdividing the lots, Parcels A and B, an area of 0.09 of an acre (3,920 square feet), slightly more than the requested variance, was deeded to the county for road widening. Consequently, the Board finds that the requested variance is warranted. As proposed, the dwelling will be of greater value, and be setback much further from the adjoining property to the northeast and Houcksville Road than a single-family dwelling would be if erected on lots 4 and 5.

Furthermore, there is no indication that authorization of the conditional use and variance will unduly affect residents of adjoining properties, the values of those properties, or public interests.

5/3/96

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman