

Tax Map/Block/Parcel
No. 63-20-125

Building Permit/Zoning
Certificate No. 95-4139

Case 4079

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Golden Properties, Inc.
849 Streaker Road
Sykesville, Maryland 21784

REQUEST: Substitution of a fourth apartment for a general store,
classified as a nonconforming use, and variances to the
setbacks pertaining thereto in the existing building

LOCATION: 439 Klee Mill Road in Election District 14

BASES: Article 4, Sections 4.3(b) and 4.16; Article 15, Section
15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: January 23, 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 establishment of the fourth apartment as expansion of the nonconforming use in accordance with the provisions of Article 4, Section 4.3(a)(1) of the zoning ordinance. The pertinent findings determining the Board's decision include the following facts:

The multi-family use of the building is nonconforming and expansion or enlargement may be authorized accordingly. As the building is nonconforming, the setback requirements specified for land uses permitted in the district are not applicable. The store originally occupying part of the upper level of the building no longer qualifies as a nonconforming use and cannot be resumed. Substantial improvements to the building have been accomplished which are beneficial to the neighborhood. Establishment of the fourth apartment must comply with applicable regulations, including those of the Health Department governing on-site sewerage disposal. In addition, the Board suggests that all parking spaces and maneuvering areas be paved. Although the building's use will continue to be nonconforming, there is no evidence that establishment of the fourth apartment will adversely affect residents of adjacent properties, the values of adjacent properties, or public interests.

2.1.96

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman