

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

- APPLICANT: Rudolf Medicus
14 Bucher John Road
P. O. Box N
Union Bridge, MD 21791
- ATTORNEY: David K. Bowersox, Esquire
Dulany, Parker, & Scott
P. O. Box 525
Westminster, MD 21157
- REQUESTS: A conditional use for an office to conduct mail order and catalog-type operations within the existing dwelling, and variance for reduction of the minimum required front setback of 70 feet from the center line of Bucher John Road to about 36 feet; and, an appeal of the Notice of Violations dated October 5, 1987 for maintaining a junkyard, and operating a business in excess of a home occupation (in lieu of the conditional use request).
- LOCATION: 14 Bucher John Road in Election District 12.
- BASES: Article 6, Sections 6.3(w) and 6.7; Article 6A, Sections 6A.2(z) and 6A.5; Article 4, Section 4.16; Article 15, Section 15.5; Article 17, Sections 17.2 and 17.4; Zoning Ordinance 1E.
- HEARING HELD: January 28, 1988

FINDINGS AND CONCLUSION

The record of this case is hereby included by reference in this decision. Based on the testimony and evidence comprising the record, the Board hereby authorizes the conditional use and variance request, and affirms the appeal of the Notice of Violation regarding the maintenance of a junkyard on the premises. The appeal regarding operation of a business in excess of a home occupation is moot. The pertinent findings include the facts that the dwelling was constructed prior to the adoption of Zoning Ordinance 1E in 1965 and does not comply with the minimum setbacks for that reason; the mail order business will be conducted entirely within the dwelling, with no change of the residential appearance and character of the premises; the applicant has exerted continuing efforts to remove trash and debris previously left on the premises by the former occupants; the unlicensed vehicles,

on property have been removed; an accessory building is now under construction to be used for storage of materials and equipment to be used on construction projects on the premises; materials and equipment on the premises are for personal use in construction projects, and used lumber is either burned to supplement the heating system of the dwelling or occasionally sold for firewood; the long-term goals of the applicant are to improve the appearance of the dwelling and premises. The Board recognizes that the appearance of the premises prompted the Notice of Violation; however, the evidence indicates that the applicant's efforts to improve the appearance of the dwelling and premises will continue, and that any undue affects to adjoining properties that may have existed in the past have been minimized and that improvements will continue in the future.

Feb. 17, 1988

Date

John Totura

John Totura, Chairman