

Case 2893

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: Melvin Thomas Myerly
1899 Burrier Lane
Detour, Maryland 21725

REQUEST: Variance reducing the minimum required lot area of 3 acres and lot width of 300 feet to one acre and 170 feet respectively.

LOCATION: 1899 Burrier Lane in Election District 10.

BASES: Article 5, Section 5.5; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: February 23, 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 request. The pertinent findings justifying the authorization include the facts that the 37.75 acre parcel from which the proposed one acre lot is to be created is zoned "C" Conservation District and "A" Agricultural District; the applicant, in proceeding to record a lot and construct a single family dwelling thereon obtained a permit for the percolation test, which passed, and a water supply well; the percolation test passed and the well was drilled; the lot was surveyed and upon application for a building permit, the applicant was advised of the minimum lot requirements for dwellings within the "C" Conservation District; the location of the proposed lot is appropriate for the continued farming of the remaining acreage; no evidence was introduced which would indicate that the relaxation of the minimum lot area and lot width requirements in this case would unduly affect the adjoining properties or public interest; and, authorization of the requested variances is justified in order to preclude the effects of practical difficulty and unreasonable hardship that would otherwise prevail.

Feb. 26, 1988
Date

John Totura
John Totura, Chairman