

Case 2913

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANT: Guy R. Neal  
447 West South Street  
Frederick, Maryland 21701

REQUESTS: Variances reducing the minimum required lot area of one acre, lot width of 150 feet, side yards of 20 feet, and one rear yard of 50 feet for two proposed lots improved with dwellings.

LOCATION: 1007 and 1009 Circle Drive in Election District 10.

BASES: Article 6, Section 6.7; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: March 30, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record, the Board hereby authorizes the request, subject to the requirements and approval of the Carroll County Health Department. The pertinent findings justifying the authorization include the facts that the property is improved with two dwellings constructed well before the adoption of Zoning Ordinance 1E in 1965, and a barn which is in good condition. Both dwellings are presently being renovated. Although the property is in excess of 15 acres, the majority of the area is undoubtedly within the flood plain of Big Pipe Creek. In addition to the two lots proposed for the existing dwellings only a relatively small area of the property may be suitable for a new dwelling as proposed by the applicant. Division of the property to create the two lots, thus permitting individual ownership of each dwelling, is reasonable and appropriate under these circumstances. Although modification of the proposed plan for division is possible, it is apparent that any such modification would be only marginally beneficial. In conclusion, there is no evidence that authorization for the division of the property as requested, and subject to the requirements and approval of the Carroll County Health Department, will unduly affect the adjoining properties or public interest.

April 15, 1988  
Date

John Totura  
John Totura, Chairman