

Case 2926

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANT: Pearl M. Will  
704 Liberty Road  
Sykesville, Maryland 21784

AGENT: Kidde Consultants, Inc.  
439 East Main Street  
Westminster, Maryland 21157

REQUESTS: Conditional use request for a two-family dwelling; and, variances reducing the minimum required lot area of 15,000 square feet, lot width of 75 feet, and side yards of 12 feet.

LOCATION: 6233 Margin Avenue in Election District 5.

BASES: Article 8, Sections 8.2(e) and 8.5; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: April 26, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby denies the conditional use request for the two-family dwelling and variances pertaining to the minimum lot area, lot width, and side yard requirements governing two-family dwellings. The pertinent findings dictating denial of the requests include the following facts:

As indicated by the plot plan identified as Applicant's Exhibit 1, the width of the lot is 50 feet and the average depth is 255 feet. The lot area is indicated as 13,500± square feet on the application. As also indicated on the application, the lot was created prior to the adoption of the county zoning ordinance on August 17, 1965. Article 15, Section 15.1(b) of the zoning ordinance provides that a single-family dwelling may be erected on a lot created prior to the adoption of the zoning ordinance even though the lot does not comply with the minimum lot area or lot width requirements. As in this case, the minimum side yard requirement is 10 percent of the width of the lot, or 5 feet for each side yard. Therefore, the Board finds no evidence of practical difficulty and unreasonable hardship in the

use of the property that would justify relaxation of the minimum lot area, lot width, and side yard requirements for the two-family dwelling. Accordingly, the requests are hereby, denied.

May 26, 1988  
Date

John Totura  
John Totura, Chairman