

Case 2947

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPELLANT: James Larry Garman  
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Elkridge, Maryland 21227

ATTORNEY: Lanny Harchenhorn, Esq.  
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APPEAL: Appeal of a Notice of Violation regarding the use of a mobile home  
and maintenance of a junk yard.

LOCATION: 419 Oklahoma Road in Election District 5.

BASES: Article 17, Section 17.4; Article 5, Article 14, Division III; Zoning  
Ordinance 1E.

HEARING HELD: May 26, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby denies the appeal of the Notice of Violation issued by the Zoning Administrator; however, in order to minimize the affects of the denial, the Board hereby directs that the removal of the mobile home from the site shall be, and is hereby extended until July 3, 1989, subject to the conditions imposed below.

The pertinent findings dictating the denial include the facts that the uncontradicted evidence is that the zoning ordinance does not provide for use of a mobile home as established by the appellant. Article 14, Division III, Section 14.31 of the Carroll County Zoning Ordinance states in part:

"No person shall park, store or occupy a mobile home (nor allow or permit parking, storage or occupancy of a mobile home), for living or other purposes, ....", subject to specific exceptions described in b thru h.

None of the exceptions are applicable in this case.

As noted above, in order to minimize the affects of the denial, and at the same time promote the intent and purpose of the zoning ordinance, the Board hereby conditions the extension of time to remove the mobile home from the premises as follows:

1. The appellant shall apply for a permit application and zoning certificate for the temporary use of the mobile home.
2. No extension of time shall be authorized beyond July 3, 1989.
3. The appellant shall assure that removal of the mobile home shall not result in further violation of the provisions of the Carroll County Zoning Ordinance.
4. The appellant shall notify the Zoning Administrator upon removal of the mobile home from the premises.

June 13, 1988

Date

John Totura

John Totura, Chairman