

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Donna J. and Gilbert L. Fleming
5508 Sykesville Road
Sykesville, Maryland 21784

ATTORNEY: Michael M. Galloway, Esq.
24 North Court Street
Westminster, Maryland 21157

REQUEST: A request to allow replacement of an existing dwelling classified as a nonconforming use by construction of a new dwelling, or as an alternative, a variance reducing minimum yard requirements for a guest house as an accessory building on the premises.

LOCATION: 5508 Sykesville Road (Md. Rt. 32) in Election District 5

BASES: Article 4, Section 4.3(a)1; Article 5C, Sections 5C.3(d) and 5C.5; Article 15, Section 15.5, Ordinance 1E

HEARING HELD: June 2, 1989

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes a variance reducing the minimum yard requirements for a proposed guest house to replace the existing building which is now deemed to be nonconforming for reason that it does not comply with the minimum yard requirements. As the building has not been used as a dwelling in compliance with the provisions of Ordinance 1E from prior to adoption of the ordinance in 1965, the building can not be classified as a nonconforming dwelling. However, authorization of the variance will facilitate construction of the guest home with respect to the existing utilities and driveway. In addition, the Board finds no indication that establishment of the guest home as proposed will unduly affect the adjoining properties or public interest.

June 9, 1989
Date

John Totura
John Totura, Chairman