

Case 3759

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Richard Green and Cheryl Green
1846 Deer Park Road
Finksburg, Maryland 21048

REQUEST: Variances reducing the minimum building lines of 60 feet to about 58 feet from Deer Park Road and 51 feet from Kays Mill Road for the dwelling under construction

LOCATION: 1846 Deer Park Road in Election District 4; Starview Estates subdivision, Section 1, Plat A, lot 2 recorded in Carroll County Plat Records in book 31, page 3

BASES: Article 66B, Section 5.04 of the Annotated Code of Maryland; Article 5C, Section 5C.5; Article 15, Section 15.5; Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: July 28, 1992

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board authorized the variances as requested. The pertinent findings determining the Board's decision include the facts that location of the dwelling, which is presently under construction, was based on the best available information to the applicant and with reasonable precaution to comply with the minimum building line requirements; however, upon preparation of a location survey, it was discovered that the dwelling does not comply with the minimum setback requirements. Authorizations of the variances are necessary in order to preclude practical difficulty and unreasonable hardship that would otherwise occur with use and ownership of the property; and, there is no indication that the authorizations will unduly affect the residents of adjacent properties, the values of those properties, or the public interests.

July 30, 1992
Date

John Totura
John Totura, Chairman

JDN/bmh/c3759dec
July 29, 1992