

Tax Map/Block/Parcel
No. 73-3-712

Building Permit/Zoning
Certificate No. 95-2669

Case 4049

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Gail Aznar and Juan G. Aznar
1649 Armistice Way
Marriottsville, Maryland 21104

ATTORNEY: Charles M. Preston, Esquire
188 East Main Street
Westminster, Maryland 21158-0389

REQUEST: A conditional use for a day care center within the professional office building

LOCATION: 730 Old Liberty Road in Election District 5; Old Liberty Professional Center subdivision, lot 2 recorded in Carroll County Plat Records in book 38, page 16

BASIS: Article 7, Sections 7.2(f) and 7.5; Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: August 30, 1995

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 and in accordance with the state Open Meetings Act, the Board authorized the day care center (center), which is regulated by the state.

The pertinent findings determining the Board's decision include the facts that the center will occupy part of the upper level of the bi-level professional office building, with an adjoining outside, fenced, play area located at the east end of the building. Access between the center and play area will be direct, and will not conflict with other offices in the building. With construction of a road to serve a new residential subdivision north of Liberty Road, the planned road between lots 1 and 2 connecting Old Liberty Road and Liberty Road will be constructed and traffic control signal lights erected at the new intersection. The existing intersection of Old Liberty Road with Liberty Road, east of Fairfield Lane, will be closed. A consultant and expert in real estate appraisal, familiar with the site and neighborhood, testified that the center is compatible with adjoining land uses and will have no adverse affects. In considering the record, there is no probative evidence that the center will unduly affect the occupants of adjacent offices or residents of adjacent properties, the values of the offices or properties, or public interests. Accordingly, the center complies with the provisions of Ordinance 1E and is hereby authorized.

Sept. 13, 1995
Date

c4049dec.jdn

Claude R. Rash
Claude Rash, Chairman