

OTax Map/Block/Parcel
No. 28-17-120

Building Permit/Zoning
Certificate No. 97-1102

Case 4222

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Mr. & Mrs. David E. Williams, Jr.
1800 Trevanion Road
Taneytown, Maryland 21787

REQUEST: A request for an extension of time to allow the use of a mobile home as a residence for a period of six months to complete lead abatement

LOCATION: 1800 Trevanion Road in Election District 2

BASIS: Article 14, Section 14.31(g); Ordinance 1E (The Carroll County Zoning Ordinance)

On May 5, 1997, the Board of Zoning Appeals received the application of Mr. and Mrs. David E. Williams, Jr., 1800 Trevanion Road, Taneytown, Maryland 21787, pursuant to Article 14, Section 14.31(g) of Ordinance 1E for a request of a temporary extension for the use of a trailer on the above property for a period of six months to complete the abatement of the lead paint.

On June 25, 1997, the Board of Zoning Appeals held a hearing on the above captioned request. At the conclusion of the hearing, the Board granted the extension. The following are the Board's findings and conclusions. Section 14.31(g) of the zoning ordinance authorizes in case of fire or other disaster, the placement of a mobile home on premises without Board approval for living purposes as a temporary use in any district as a supplementary residence for a period of one year from the date of the establishment. The section authorizes the Board to consider and approve an additional extension of time beyond the one year period.

Pursuant to the noted section, the applicants placed a mobile home on the subject premises on or about April 15, 1996. On April 17, 1997, the applicants were notified by letter that the one year period authorized by the zoning ordinance had expired and continued use of the premises without a requisite extension from this Board was contrary to the zoning ordinance and the building code. In response to the letter of April 17, 1997, the applicants filed an instant request.

At the hearing, the applicants presented that they have purchased the above captioned property unaware that there was lead based paint there. The Carroll County Health Department required them to cease using the building on the premises as a primary

residence until the lead based paint was abated. As a result of the Health Department's direction to stop using the building, they placed a mobile home on the subject property and started the process of abating the lead based paint in the residence. They need an extension of time because the work is arduous and time consuming. They have suffered a great economic hardship. The Board hereby grants the extension requested. The Board, granting the extension, notes that the mobile home must be removed from the premises by January 1, 1998.

7/23/97

Date

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James Schumacher, Chairman