

Tax Map/Block/Parcel
No. 73-11-309

Building Permit/Zoning
Certificate No. 04-0091

Case 4916

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPELLANT: Sykesville Federal Savings Association
1321 Liberty Road
Eldersburg, Maryland 21784

ATTORNEY: Thomas F. Stansfield

REQUEST: An appeal of a condition (#3) in the decision of the Planning and Zoning Commission, dated December 30, 2003, concerning the requirement of a cross easement over the subject property.

LOCATION: The site is located at 1321 Liberty Road, Eldersburg, MD 21157, on property zoned "B-G" General Business District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-188 B

HEARING HELD: March 23, 2004

FINDINGS AND CONCLUSION

On March 23, 2004, the Board of Zoning Appeals (the Board) convened to hear an appeal of a condition (#3) in the decision of the Planning and Zoning Commission, dated December 30, 2003, concerning the requirement of a cross easement over the subject property. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Appellant intends to construct a 1,700 square feet addition to their existing bank building for use as office space and a conference room. The site plan for the proposed addition was reviewed and approved by the Carroll County Planning and Zoning Commission at their meeting of December 16, 2003. The approval contained a condition that "a cross easement be granted to Carroll County to facilitate a future service lane across the front of the site to provide potential access to the adjoining (vacant) property to the west." The Appellant appealed the imposition of this condition to the Board.

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The purpose of the cross easement requirement was to allow business traffic to circulate from the adjoining vacant property to the traffic signal on Route 26. The easement would eliminate the need for a direct access point onto Route 26 from the vacant parcel to the west, which would presumably be another business.

We agree with the Planning Commission that the elimination of a direct access onto Route 26 is desirable to facilitate traffic flow and public safety. Requirement of the cross easement would be an effective planning and traffic control tool to facilitate car safety in this congested corridor of Route 26. This will benefit all property owners in the area, including the Appellant.

Accordingly, the Appeal is denied.

4-23-04

Date


Jacob M. Yingling, Chairman