

**Tax Map/Block/Parcel
No. 46-14-914**

**Building Permit/Zoning
Certificate No. 05-0112**

Case 5025

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

APPLICANT: Ronald Morley & Jennie Burda
c/o 237 East Main Street
Westminster, MD 21157

ATTORNEY: Daniel Murphy

REQUEST: A conditional use for insurance/financial services offices and variances from the required lot area of 20,000 ft. to 14,970 ft; lot width from 100 ft. to 60 ft; and side yard from 25 ft. to 23 ft. and 9 ft.

LOCATION: The site is located at 414 East Main Street, Westminster, on property zoned "R-10,000" Residential District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-86 A, 223,79 G and 223-82 A

HEARING HELD: February 23, 2005

FINDINGS AND CONCLUSION

On February 23, 2005, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for insurance/financial services offices and variances from the required lot area of 20,000 ft. to 14,970 ft; lot width from 100 ft. to 60 ft; and side yard from 25 ft. to 23 ft. and 9 ft. The Board made the following findings and conclusion:

The subject property is in a neighborhood where several low impact businesses have replaced some residences. The lot was created in 1920, and is therefore substandard according to today's applicable zoning. As it exists, the lot width is 60 feet, and side yard setbacks are 23 feet and 9 feet.

The Applicant wishes to convert the existing residence to an estate planning firm. The Applicant sells long term care policies, annuities, and mutual funds to senior citizens. Group

seminars for the firm are held "off site" in hotels and banquet facilities. In addition, 90% of first appointments occur at client's homes, rather than the office. There will be 1 full time employee and 2 part time employees. Federal Express deliveries are made typically once a week. Aside from a sign, the building's exterior will remain residential in character.

The Board finds that the proposed use at this location will not generate adverse effects above and beyond those normally associated with such a use. In addition, it is consistent with the rest of the neighborhood, which appears to be developing into a mixed use neighborhood. The lot is nonconforming, so the grant of a variance to confirm what has existed since 1920 is appropriate, and a failure to grant a variance would result in unreasonable hardship. Therefore, the requested variances are granted. This approval is granted with three conditions:

1. Hours of operation shall be 8:30 am to 5:00 pm Monday through Friday
2. A full site plan shall be submitted to the County
3. There will be a maximum of 11 parking spaces on the site.

Date

3/16/05


Jacob M. Yingling, Chairman