

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: RD & W Partnership
2320 Old Westminster Pike
Finksburg, Maryland 21048

ATTORNEY: Clark R. Shaffer, Esquire
6 North Court Street
Westminster, Maryland 21157

REQUESTS: Variances reducing the minimum required lot area, width and yard requirements to allow conversion of the existing building into five apartments; or, confirmation that the building is classified as nonconforming as to dimensional requirements.

LOCATION: 425 East Main Street in Election District 7.

BASES: Article 8, Sections 8.1(b) and 8.5; Article 7; Section 7.5;
Article 15, Section 15.5; Article 4, Section 4.3; Zoning Ordinance 1E.

HEARING HELD: December 30, 1988

FINDINGS AND CONCLUSION

The record of this case is hereby included by reference in this decision. Based on the testimony and evidence comprising the record, the Board hereby authorizes the variances as necessary for conversion of the existing building to four dwelling units, not five dwelling units as originally requested, subject to the condition imposed below. The findings justifying the authorizations include the facts that the building was established and used periodically as a multi-family dwelling prior to the adoption of zoning in the county; the building is presently in need of rehabilitation; the proposed rehabilitation of the building will be beneficial to the adjoining properties and public interest; and there is no indication that the authorization as requested as conditioned below will unduly affect the adjoining properties or public interest.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following conditions:

1. The authorization is subject to the preparation and submission of a site development plan to the Zoning Administrator showing the revised parking spaces in compliance with the requirements of the zoning ordinance, and appropriate landscaping.
2. Conversion of the building shall be limited to four dwelling units, and in accordance with the applicant's testimony regarding the rehabilitation and conversion of the building.

Dec. 18, 1988
Date

John Totura
John Totura, Chairman