

Case 2872

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

APPLICANTS: Mr. and Mrs. William Burke
2807 Bel Court
Manchester, Maryland 21102

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

REQUESTS: A conditional use for a child care center accommodating approximately 100 children, and variance waiving the minimum required setback of 10 feet for parking spaces proposed to be located adjacent to the right-of-way line of a future county street.

LOCATION: West side of Hanover Pike (Md. Rt. 30) about 75 feet north of Greenmount Church Road in Election District 8.

BASES: Article 7, Sections 7.2(f) and 7.5; Article 14, Division I, Section 14.1(b)4; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: December 31, 1987

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 requests, subject to the conditions imposed below. The pertinent findings justifying the authorizations include the facts that the lot is part of a proposed residential subdivision of the original 26.25 acre tract, requiring approval by the Carroll County Health Department and construction of a street in compliance with county and state requirements providing access to and from Hanover Pike; development of the site will be solely for the purpose of operating the child care center with approximately twelve employees providing care for a maximum of 100 children. Parking, and loading and unloading facilities will be located on the premises with access to and from the proposed subdivision street, thus minimizing vehicular traffic congestion; the site will be landscaped and fenced appropriately; and, the establishment and operation of the child care center will be beneficial to the community without unduly affecting the use or property values of adjacent residential properties.

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

* Date corrected to read January 18, 1988

1. The authorizations of the conditional use and variance are based on the applicant's testimony regarding development of the two-story building, as generally indicated on the sketch plan identified as Applicants' Exhibit 1, including appropriate fencing and landscaping.
2. All on-site improvements, including the driveway, parking facilities, landscaping and fencing shall be completed prior to issuance of the Use and Occupancy Permit. The applicant is requested to notify the Zoning Administrator upon completion of all on-site improvements.
3. The proposed subdivision road must be constructed to county and state standards, and be accepted into the county roads system prior to the issuance of the Use and Occupancy Permit.

Jan. 18, 1988
Date

John Totura
John Totura, Chairman