

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: K. Merrill Sumey
2120 Liberty Road
Sykesville, Maryland 21784

ATTORNEY: David K. Bowersox, Esq.
Dulany, Parker & Scott
127 East Main Street, P. O. Box 525
Westminster, Maryland 21157

REQUESTS: A request to amend conditions imposed in Case 1572 to allow professional offices for other than an accountant and insurance agent; allow parking spaces in excess of those approved in Case 1572; and, a variance reducing the minimum required width of 20 feet for an access driveway to about 13 feet.

LOCATION: 2120 Liberty Road (Md. Rt. 26) in Election District 5.

BASES: Article 17, Section 17.2; Article 14; Division I, Section 14.1(b)3; Article 15.5; Zoning Ordinance 1E.

HEARING HELD: March 29, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the requests to include offices of medical practitioners, attorneys, and realtors in addition to accountants and insurance agents as authorized in Case 1572; and, authorizes additional parking spaces in excess of those approved in Case 1572 as necessary to comply with existing on-site parking requirements for a maximum of two professional offices within the existing building, subject to the conditions noted below. The variance request for reduction of the minimum required width of 20 feet for an access driveway is denied.

The pertinent findings include the facts that the existing building can not reasonably accommodate more than two professional offices; regulations governing parking requirements were amended in 1981 following the original authorization for professional offices by the Board in 1980; and, authorization of the requests regarding the professional offices and additional parking spaces will not sub-

stantially affect the residential appearance of the property, or diminish the value of properties adjacent to the premises. With regard to the reduction of the minimum width of the access driveway, the Board findings that the minimum width can, and should be constructed in compliance with the provisions of the zoning ordinance.

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

1. The access driveway as shown on the plot plan identified as Applicant's Exhibit 1, shall be increased to the minimum width of 20 feet. The space between the first increment of 6 parking spaces and the second increment, identified as proposed additional parking area on Applicant's Exhibit 1, may be used to construct additional parking spaces as may be necessary to comply with the minimum requirements for the now authorized professional offices.
2. Landscape screening, consisting of an evergreen hedge, such as hemlock or yew, shall be planted and maintained parallel to the west and north sides of the additionally authorized parking spaces for the purpose of screening the parking area and maintaining the residential appearance of the property. Any plants or shrubs that become diseased or die shall be replaced.
3. Any lighting of the building, identification sign, and parking areas shall be shaded or shielded, using an opaque fixture, to prevent the light from being seen from the adjoining properties or by vehicular operators proceeding in either direction on Liberty Road (Md. Rt. 26).
4. Conditions 2, 6, and 8 imposed by the Board in Case 1572 remain in effect.
5. The applicant is directed to submit an amended plot plan to the Zoning Administrator and to the Board showing the additional parking spaces necessary to comply with the minimum requirements, the access lane

width, a width of 20 feet, and the additional landscape screening as required.

April 13, 1988
Date

John Totura
John Totura, Chairman