

Case 2919

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: Tyler's Summit, Inc.
1425 Liberty Road
Sykesville, Maryland 21784

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

REQUESTS: Variance requests for reduction of the minimum required side yards of 50 feet to about 20 feet for two proposed subdivision lots tentatively identified as Tyler's Summit subdivision, Plat Two, lots 7 and 8.

LOCATION: On property north of Kay's Mill Road with access therefrom about .78 of a mile west of Maryland Route 140 intersection in Election District 4.

BASES: Article 5, Section 5.5; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: March 31, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the requests. The pertinent findings justifying the authorizations include the facts that although the areas of both lots are in excess of 7 acres, use of each lot is severely restricted by a 100 year flood plain and topographic slopes of 25 or more percent. The topography, configuration of the lots, and confined buildable area result in practical difficulty and unreasonable hardship in the use of the property which warrant relaxation of the minimum side yard requirements; and, there is no probative evidence that reduction of the minimum side yard requirements as requested will unduly affect either the adjoining properties or public interest.

April 15, 1988
Date

John Totura
John Totura, Chairman