

Case 2922

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: David J. Brower
2416 Kay's Mill Road
Finksburg, Maryland 21048

AGENT: Robin Lee Ford
2900 Shiloh Road
Hampstead, Maryland 21074

REQUEST: A variance reducing one minimum required side yard of 20 feet to 14 feet for the dwelling under construction.

LOCATION: 1213 Canterbury Drive in Election District 4; Carroll Winde sub-division, Section 4, lot 43 recorded in Carroll County Plat Records in Book 27, page 103.

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

HEARING HELD: April 26, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the request. The pertinent findings justifying the authorization include the facts that the dwelling was located on the property in accordance with what was believed to be the location of the side and front property lines. Unfortunately, the actual location of the side property line was discovered to be 32 feet closer to the dwelling than originally believed, leaving 14 feet as the existing side yard. In addition to the inadvertent error, use of the property for residential purposes is restricted by topography and a flood plain, which affect location of the dwelling and the area for the on-site sewerage disposal system. The topography and flood plain represent practical difficulty and unreasonable hardship sufficient to justify the authorization of this request.

April 27, 1988
Date

John Totura
John Totura, Chairman