

Case 3100

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: George Gary Miller, Jr.
5715 Old Washington Road
Sykesville, Maryland 21784

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

REQUEST: Variances reducing the minimum required setbacks, yards, and lot width to allow subdivision of land

LOCATION: 5715 Old Washington Road (Md. Rt. 97) in Election District 14

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

HEARING HELD: February 28, 1989

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board hereby authorizes reduction of the minimum required side yard for the existing dwelling located on proposed Lot 4, and the minimum required lot width for proposed Lot 1 which is identified as "Proposed Outsale" as show on the revised preliminary plan identified as Applicant's Exhibit 1 in this case. The pertinent findings justifying the authorization include the facts that the existing dwellings are valuable and warrant relaxation of the minimum side yard requirement in order to allow division of the property and separate ownership of the individual dwellings. With respect to the minimum required lot width for proposed Lot 1, the "Proposed Outsale", although the dimensions are technically deficient, the major portion of the lot exceeds the minimum requirement. In addition the Board finds no indication that authorization of the requested variances to allow subdivision of the property as depicted by Applicant's Exhibit 1 will unduly affect the adjoining properties or public interest.

March 14, 1989
Date

John Totura
John Totura, Chairman