

Case 3126

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

APPLICANT: Bernard L. & Gelaen Shafer  
Donald R. & Susan D. Shafer  
c/o Ruth Ann & David L. Burgener  
6018 Elaine Drive  
Jefferson, Maryland 21755

ATTORNEY: Richard H. Offutt, Esq.  
Hoffman & Comfort  
24 North Court Street  
P.O. Box 1200  
Westminster, Maryland 21157

REQUEST: Variances reducing the minimum required lot width  
and minimum front yard setback, as measured from  
a reservation for a future highway, for the  
existing house and accessory building

LOCATION: 1201 Brehem Road in Election District 7

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

HEARING HELD: March 28, 1989

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record in this case, the Board hereby authorizes the requested variances. As shown on the plot plan, Applicants' Exhibit 1, the variance to the minimum front yard is to about 37 feet for the existing house and 21 feet for the existing barn. The variance to the lot width is from 300 feet to about 200 feet. The pertinent findings justifying the authorizations include the facts that the existing house and barn were constructed prior to the adoption of the zoning ordinance in 1965, and use of the property is restricted by topography and a stream with a 100 year flood plain which traverse the property. The acquisition of the right of way for the future construction of the highway warrants the authorizations in order to preclude practical difficulty and unreasonable hardship that would otherwise occur with use and ownership of the property.

March 31, 1989  
Date

John Totura  
John Totura, Chairman